

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 57690 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -SANGRAMPUR District- MUNGER

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Kajal Kumar Son of Anil Ray, Resident of Village- Makanpur, Police
Station- Sangrampur, District- Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 21-01-2016 Heard Sri Sanjeev Ranjan, learned counsel for the
petitioner and Sri Nand Kishore Prasad, learned Addl. Public
Prosecutor.

The petitioner, who is in custody since 29-10-2015 in
Sangrampur P.S. Case no. 134 of 2015 registered for the offence
under Sections 363 and 366 (A) of the Indian Penal Code, has
prayed for grant of bail. The petitioner has been made accused on
the allegation that he has kidnapped a minor girl, who is daughter
of the informant. The petitioner was named in the F.I.R. alongwith
other accused persons.

Learned counsel for the petitioner, by way of referring
to statement of victim recorded under Section 164 of the Cr.P.C.,
kept at **Annexure – 2**, submits that the victim girl before the
learned Magistrate has disclosed her age as 19 years, however; the

learned Magistrate has assessed her age as 18 years in statement recorded under Section 164 of the Cr.P.C. The victim girl has categorically stated that she had voluntarily gone with the petitioner and she has solemnized marriage. She has also indicated that after getting an information that mother of the petitioner was arrested by the police, she arrived police station, from where she was taken away by her parents for medical check-up. It has been argued by the learned counsel for the petitioner that in medical examination also, the age of the victim has been assessed as about 19 years.

In view of statement of victim recorded under Section 164 of the Cr.P.C., which has also been noticed by the learned Sessions Judge while rejecting the prayer for bail, the Court is of the opinion that it is a fit case for extending the privilege of bail.

Let the petitioner namely Kajal Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IInd, Munger in connection with Sangrampur P.S. Case No. 134 of 2015.

(Rakesh Kumar, J.)

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