

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44694 of 2016

Arising Out of PS.Case No. -208 Year- 2016 Thana -CHANDAUTI District- GAYA

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1. Karan Raj @ Bittu, Son of Bedanand Yadav, Resident of Village-Khuthari, P.S. Kahalgaon, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the State : Mr. Ram Priya Sharan Singh, APP.
For the informant : Mr. Aditya Nath Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 17-10-2016 Power is filed on behalf of the informant. Let it be kept
on the record.

Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and learned counsel,
appearing for the informant.

Petitioner seeks bail in a case registered under
Sections-366A/120(B)/34 of the Indian Penal Code.

The statement of victim was recorded u/S 164 of the
Cr.P.C. in which, she stated that she, voluntarily, solemnized her
marriage with the petitioner as she was in love with the petitioner.
The victim disclosed her age as 19 years whereas; the learned
Magistrate assessed her age as 16 years.

Learned counsel, appearing for the informant submits

that the victim was minor as per her school certificate and therefore, even if, the victim has admitted about solemnization of her marriage with the petitioner, then also, the consent of victim does not have any importance.

Considering the above-said facts and circumstances of the case as well as submission of the parties and also taking note of this fact that petitioner is languishing in jail custody since 23-08-2016, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Chandauti P.S. Case No. 208 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Gaya.

A.K.V./-

(Hemant Kumar Srivastava, J)

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