

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31949 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -BALIA District- BEGUSARAI

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Anand Avishek Son of Budhu Prasad @ Shiv Kumar Mehta resident of
Village Maheshpur P.S. Saur Bazar District Saharsa

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh
Mr. Ashok Kumar

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 30-08-2016 Heard Sri Vikramdeo Singh, learned counsel, who
was assisted by Sri Ashok Kumar, learned counsel for the
petitioner and Sri Anuj Kumar Srivastava, learned Addl. Public
Prosecutor.

The petitioner, who apprehends his arrest in Ballia
P.S. Case No. 40 of 2016 registered for offence under Sections
366(A)/34 of the Indian Penal Code, has prayed for grant of
anticipatory bail.

It was submitted by learned counsel for the petitioner
that statement of the victim girl was recorded twice. On first
occasion, the victim girl had disclosed her age as 19 years,
whereas, her age was assessed by the learned Magistrate as 15
years. At subsequent stage, while her statement was recorded

under Section 164 of the Cr.P.C., she disclosed her age as 16 years, however; it was not disputed that during medical examination the age of victim girl was assessed in between 15-16 years, whereas, learned Addl. Public Prosecutor submits that in the F.I.R., the age of the victim girl is mentioned as 12 years.

Keeping in view the age of the victim girl, the Court is not inclined to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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