

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31652 of 2016

Arising Out of PS.Case No. -139 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Alok Kumar Singh @ Sikoo S/O Udai Kumar Singh village - Suhuriya,
Ward No. 4, P.S. Janki Nagar, District - Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kundan Kumar Singh, Advocate

For the State : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under sections 365 and 366 of the Indian Penal Code.

It is contended on behalf of the petitioner that, as per the statement of the victim girl recorded under section 164 of the Code of Criminal Procedure(hereinafter to be referred to as “the Code”), she had willingly gone with the petitioner and got herself married with him in a temple as there was love affair between them. She has stated her age before the Magistrate concerned as 19 years whereas the court concerned has assessed her age as 16 years and in the First Information Report her age has been stated as 17 years, whereas, the Medical Board constituted for the

purpose of assessment of age has found her age to be within 18-20 years. It is further contended that the victim girl is either major or at the verge of attaining majority and she had willingly gone with the petitioner and married with him.

Learned counsel for the State has submitted that it is stated in the First Information Report that the age of the victim girl is only 17 years and the concerned Magistrate while recording the state of the victim girl has assessed her age as 16 years, however, he also admits that the Medical Board has assessed the age of the victim girl within 18-20 years.

Having regard to the facts and circumstances of the case, let the abovenamed petitioners, namely, Alok Kumar Singh @ Sikoo, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Murliganj Police Station Case No. 139/16 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

SC/-

(Dr. Ravi Ranjan, J)

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