

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45524 of 2016

Arising Out of PS.Case No. -218 Year- 2016 Thana -TEKARI District- GAYA

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1. Sanjay Sharma Son of Mohan Mistry
2. Vikash Kumar Son of Sanjay Sharma All resident of village - Lav, P.O.
Lav, P.S. Tekari, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State.

This application is for grant of anticipatory bail for the
offence under Sections 366(A) and 34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that though
the petitioners are not named in the F.I.R., the statement of the
victim girl has been recorded under Section 164 Cr.P.C., which
clearly shows that there is no involvement of the petitioners, she
has also stated in her statement that she married with Brajesh
Kumar with her own sweet-will. It has also been submitted that
the age of the girl has been assessed as 19 years by the court,
whereas the Medical Examination Board has assessed her age 17
½ years.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts that the petitioner is father of one Brajesh Kumar and the victim was in love with him, as well as the Medical Examination Board has assessed the age of girl 17 ½ years, whereas the Court has also assessed the age of girl as 19 years and also considering the statement of victim U/S 164 Cr.P.C., let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM-VI, Gaya in connection with Tekari P.S.Case No.218 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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