

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8219 of 2016**

Arising Out of PS.Case No. -671 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Bablu Sah son of Amir Chand Sah, Resident of Village- Kukuradh P.S. Sonhan, District Kaimur at Bhabua.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Anita Kumari (App)

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

2 25-02-2016

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under sections 363, 366(A)/34 of the Indian Penal Code.

Statement of the victim has been recorded under section 164 of the Code of Criminal Procedure, 1973 in which she stated that she was forcibly taken away by the petitioner. Subsequently, when father and sister of the petitioner asked to release her, the petitioner brought her and after that her statement was recorded under section 164 Cr.P.C. The victim further stated that she was raped by the petitioner. The victim disclosed her age as 19 years though the learned Magistrate assessed her age as 17

years.

Learned counsel for the petitioner drew my attention to the first information report and submits that the first information report reflects that there was love affair between the victim and the petitioner and the statement of the victim goes to show that she eloped with the petitioner by her own sweet will.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua (Sonhan) P.S. Case No. 671 of 2015.

**(Hemant Kumar Srivastava, J)**

Amin/-

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