

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12773 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -BUDHUCHAK District- BHAGALPUR

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Krishna Mohan Sharma son of Ram Lakhan Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The victim has already returned to her home and her statement was recorded under Section 164 of the Cr.P.C. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she had gone to Haryana along with petitioner where petitioner forcibly established physical relation with her. The age of victim was found by the learned Magistrate as 17 years though the victim disclosed her age as 16 years. The informant has disclosed the age of the victim as 16 years in his written report.

The submission on behalf of the petitioner is that the victim and petitioner being young chaps were in love and, as a matter of fact, the victim had eloped along with petitioner by her

own sweet will but, subsequently, when she came under control of her parents, she took U turn and made statement against the petitioner though the aforesaid statement was made half-heartedly. Learned counsel for the petitioner fortified the above stated contentions and drew my attention towards Annexure-2 series of the petition and submits that the victim wrote several love letters to the petitioner and the aforesaid love letters go to show the sweet relation of the victim with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate,13, Bhagalpur in connection with Budhuchak P.S.Case No. 05 of 2016.

(Hemant Kumar Srivastava, J)

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