

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37360 of 2016

Arising Out of PS.Case No. -353 Year- 2016 Thana -BANKA District- BANKA

=====

1. Niwash Kumar Rout (Raut) @ Nivas Kumar Rauot S/o Gulabi Rout R/o Vill Dubardih P.S. Barahat, Dist Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiva Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 08-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

The victim got recorded her statement under Section 164 of the Cr.P.C. in which she specifically stated that she solemnized her marriage with petitioner by her own sweet will. She also disclosed that her marriage with petitioner is not being accepted by her parents as her husband belongs to different caste.

The learned Sessions Judge rejected the prayer for bail of the petitioner only taking into consideration the age of the victim but he failed to notice that victim as well as petitioner dared

to break the caste system of the society but they were caught by cruel hands of the society. However, the victim disclosed her age as 18 years and the medical board appears to have found her below 18 years.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in connection with Banka (Barhat) P.S. Case No. 353 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--