

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45953 of 2016

Arising Out of PS.Case No. -53 Year- 2016 Thana -SIMRI District- DARBHANGA

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TUNTUN PASWAN @ TUNTUN KUMAR PASWAN

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 365,366A and 372/34 of the Indian Penal Code.

The prosecution case is that on 29.5.2016 at about 7-8 P.M. the daughter of the informant went out side to ease but she went missing and it was suspected that the petitioner got her abducted.

It is submitted by the learned counsel for the petitioner that for the occurrence of 29.5.2016 the FIR was registered on 31.5.2016. In 164 Cr.P.C. statement the victim got her age recorded as 20 years whereas the court assessed her age as 17 years though during medical examination the victim was found aged 17 to 18 years of age but no medical report nor any

certificate has been brought on record. In 164 Cr.P.C. statement she stated that she of her own went to Delhi with the petitioner and on 2.6.2016 she got married with the petitioner in Arya Samaj temple at Gajiabad and after the knowledge of the present case she returned. It is further submitted that the marriage was also registered and the said marriage certificate also suggests the age of the victim as 20 years.

Considering the 164 Cr.P.C. statement of the victim and the Statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Darbhanga, in connection with Simri P.S. Case No.53 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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