

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15146 of 2016

Arising Out of PS.Case No. -318 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

Sudhir Kumar son of Parmeshwar Thakur resident of village Dariyapur
Kagen PS Kurhani Dist. Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s Mr. Gajendra Pd. Yadav(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 12.04.2016 Heard learned counsel for the petitioner, learned Addl.
Public Prosecutor for the State as well as learned counsel for the
informant.

Petitioner seeks bail in a case registered under sections 363
and 366A/34 of the Indian Penal Code.

Statement of victim has been recorded under section 164 of
the Cr.P.C in which she stated that she solemnized her marriage with
the petitioner by her own sweet will but learned court below rejected
the bail prayer of the petitioner only on the ground that school leaving
certificate of the victim shows that she was below 18 years at the time
of alleged occurrence.

Moreover, Medical board found the victim between 17 to 18
years and the victim disclosed her age as 19 years.

Considering the aforesaid facts and circumstances as well as
this aspect of the matter that petitioner is languishing in jail custody
since 7.9.2015, let the petitioner be released on bail on furnishing bail

bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Santosh Kr, Jha, Judicial Magistrate, Ist Class, Muzaffarpur in Kudhani P.S. Case no. 318/2015.

(Hemant Kumar Srivastava,J)

