

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28542 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -TIKAPATTI District- PURNIA

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1. BECHAN MANDAL @ BECHAN KUMAR S/o Biranchi Mandal
Resident of Village - Tikapatti, P.S. - Tikapatti, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Section-376 of the Indian Penal Code.

Petitioner is in jail custody since 04-02-2016 with
accusation that he established physical relation with the informant
on the false promise of marriage but subsequently, he refused to
marry with her. The informant has herself admitted in her written
report that she, alongwith the petitioner was caught by her family
members, while they were in compromising position and after
that, the present case was lodged. The medical board found the
informant between 16-17 years.

Submission on behalf of petitioner is that the

informant was major at the time of alleged occurrence and as a matter of fact, she was a consenting party. It is further submitted that so far as the opinion of medical board, regarding the age of the informant is concerned; there is always possibility of error of two years in assessing the age of a person.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Tikapatti P.S. Case No. 04 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Purnea.

A.K.V./-

(Hemant Kumar Srivastava, J)

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