

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8185 of 2016

Arising Out of PS.Case No. -576 Year- 2014 Thana -BANKA District- BANKA

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Raj Singh @ Puran @ Puran Singh, Son of Parmanand Singh, Resident of Village- Rajabar, P.S.- Rajoun, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maleshwari Prasad Singh, Son of Late Raghunandan Prasad Singh, Resident of village- Mahisota, P.S.- Shambhuganj, District- Banka, at present residing at village- Pathara, Ward No 1, P.S. and District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 17-03-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

In pursuance to the order dated 03.03.2016, the petitioner has appeared in person. The victim girl, Prapti Kumari whom the petitioner is said to have married and a certificate in support thereof has been produced is also present.

Learned Chief Judicial Magistrate, Banka, has informed the authorities of the Remand Home to produce the victim girl, Prapti Kumari before this Court. The victim girl is accompanied by Smt. Nilam Kumari, the Child Protection Officer, Remand Home, Uttar Rachhagrih Bistarit Ikai,



Najrath Hospital, Mokama, Patna. The victim girl, Prapti Kumari has states that she wants to live with the petitioner, who is her husband. In her statement recorded under Section 164 of the Cr.P.C. before the learned Magistrate, Banka, Annexure-3 to this application, her age is assessed to be 19 years.

Under such circumstances, since the allegation does not appear to be substantiated by the statement of the victim girl recorded under Section 164 of the Cr.P.C., let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case no. 576 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Since the age of the victim girl, Prapti Kumari has been stated to be 19 years in her statement recorded under Section 164 of the Cr.P.C, and she claims to be the married wife of the petitioner, learned District and Sessions Judge, Banka will ensure that the victim girl is released from the

Remand Home, where she has been kept, forthwith.

The petitioner submits that he is ready to take the victim girl, who is now his wife, and will keep his wife in his matrimonial home with full dignity and honour.

(Nilu Agrawal, J.)

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