

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18310 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -CHAINPUR District- BHABHUA (KAIMUR)

Pappu Upadhyay

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

For the Opposite Party/s : Mr. Rajiv Nayan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 366(A) of the Indian Penal Code.

The prosecution case is of abducting the minor daughter of the informant.

It is submitted by the learned counsel for the petitioner that the victim got recorded her age as 19 years during her statement under section 164 of the Cr. P. C. but the court assessed her age as 15 years and as per medical report she was aged between 17-19 years. In 164 Cr. P. C. statement the victim has stated that she called the petitioner near her house and went to Sasarm and Bangalore and thereafter married in a temple though she was aware that the petitioner is a married person. The medical

report does not suggest any sign of recent intercourse.

The aforesaid facts constitute grounds for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioners surrender within six weeks from today in connection with Chainpur P.S. case No. 35 of 2016 pending in the court of learned CJM, Kaimur at Bhabhua.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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