

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30063 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -HASPURA District- AURANGABAD

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1. Kashi Sao Son of Late Ramsewak Sao Resident of village - Itawan, P.S.
Haspura, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta

For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 12-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Sections-366(A), 504/34 of the Indian Penal Code.

The statement of victim was recorded u/S 164 of the

Cr.P.C. in which, she specifically, stated that she solemnized her
marriage with co-accused Prince by her own sweet will. The
petitioner happens to be father of co-accused Prince. The victim
disclosed her age as 19 years. The medical board found her
between 17-18 years, however, the learned Magistrate assessed the
age of the victim as 16 years.

I am surprised and shocked to see the approach of

learned Sessions Judge, Aurangabad because the victim has stated

nothing against the petitioner, but even then, learned Sessions Judge, ignoring the above-said facts rejected the bail petition of the petitioner, who was languishing in jail custody since 17-04-2016 at the time of passing of rejection order.

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 Haspura P.S. Case No. 77 of 2016 to the satisfaction of learned Judicial Magistrate-Ist Class, Daudnagar, Aurangabad.

A.K.V./-

(Hemant Kumar Srivastava, J)

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