

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12866 of 2016

Arising Out of PS.Case No. -92 Year- 2015 Thana -MANSI District- KHAGARIA

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1. Vanish Kumar son of Kamleshwari Pd. Singh Resident of Village+P.O. Amani, Police Station- Mansi, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Arun Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 31-03-2016 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-366A 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, voluntarily, solemnized her marriage with accused, Ranbir Kumar @ Aditya Raj and she was never kidnapped by any person. The victim disclosed her age as 20 years and the learned Magistrate, who recorded the statement of victim, assessed her age as 21 years. The Medical Board found the victim between 19-20 years of age but even then, learned Additional District & Sessions Judge-IV, Khagaria rejected the prayer for bail of the petitioner.

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 Mansi P.S. Case No. 92 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Khagaria.

However, the concerned officer is warned to be more cautious and vigilant, while disposing of the bail petition because it appears to this court that the concerned officer has not exercised his judicial power properly.

A.K.V./- **(Hemant Kumar Srivastava, J)**

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