

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24344 of 2017

Arising Out of PS.Case No. -140 Year- 2017 Thana -PIRBAHOR District- PATNA

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Dr. Amit Premchand, Son of Dr. Premchand Bhagwandas @ Dr. Bhagwandas Premchander, Resident of Gurunagar, Main Road, Bhadrawati, P.S.- Bhadrawati, District- Chandrapur, State- Maharashtra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shama Sinha, Advocate.
Mr. Om Prakash Kumar, Advocate.

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Pirbahor P.S. Case No.140 of 2017 instituted for the offence under Section 376 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the girl is major and she lived with this petitioner in the Hostel of P.M.C.H. for two months which is apparent from the written Report itself. It has further been submitted that she in her statement under Section 164 Cr. P.C. has admitted that she was in living relationship with this petitioner.

The statement of the victim girl recorded under Section 164 Cr. P.C. has been annexed as Annexure-6 series wherein the



learned Magistrate has assessed her age as 22 years and she herself has stated her age to be 22 years. It is stated in her statement under Section 164 Cr. P.C. that she was in living relationship with this petitioner.

As such, from the narration in the written report as well as the statement of the victim girl under Section 164 Cr. P.C., it appears that every act is done with consent of the informant who is major.

In such circumstances, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Pirbahor P.S. Case No. 140 of 2017, subject to the condition that both the bailors will be the parents of the petitioner or his close relatives.

S.Ali/-

(Sanjay Priya, J)

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