

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54771 of 2016

Arising Out of PS,Case No. -214 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Kanhaiya Yadav Son of Mahendra Yadav
2. Meena Devi Wife of Kanhaiya Yadav Both Resident of Village-Sabaya,
P.S. bagaha, (Pathkhauli) District-West Champaran (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-01-2017 The petitioner being mother in law is apprehending her arrest in connection with Bagaha (Pathkhauli) P.S. Case No. 214 of 2016, registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that only on the basis of suspicion petitioner's name has surfaced in the present case and the victim girl herself in her statement recorded under Section 164 of the Cr.P.C. has stated that she had gone with the petitioner out of her own sweet will. It has further been submitted that the Medical Board assessed the age of the girl as 19 years and the learned Magistrate has also assessed her age as 18 years. However, in the F.I.R, her age was mentioned as 16 years.



Learned counsel for the State opposed the prayer for bail and submitted that as per the F.I.R., the victim girl is minor.

Having heard both sides, in view of the fact that the girl in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that she had gone with the petitioner out of her own sweet will and the Medical Board assessed the age of the girl as 19 years and the learned Magistrate has also assessed her age as 18 years, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) learned ACJM, Bagaha, West Champaran in connection with Bagaha (Pathkhauri) P.S. Case No. 214 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Vinod Kumar Sinha, J)

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