

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12536 of 2017

Arising Out of PS.Case No. -662 Year- 2014 Thana -KANKARBAGH District- PATNA

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Guddu Kumar, S/o Suresh Paswan, Resident of Village- Arab, P.S.-
Bikram, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nawal Kishore Prasad, Advocate.

For the Opposite Party : Ms. Rita Verma, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-04-2017 Heard both sides.

The petitioner seeks bail in Kankarbagh P.S. Case No. 662 of 2014, registered for the offences punishable under Sections 363, 366 (A), 504, 506 and 34 of the Indian Penal Code.

The informant alleged that the petitioner and his brother kidnap her minor daughter.

Learned counsel for the petitioner submits that the victim made her statement under Section 164 of the Code of Criminal Procedure and the same shows that she was a consenting party. She went all along with the petitioner but she disclosed her age to be 14 years. The doctor also assessed the age of the victim to be below 15 years but the victim was married in a temple and a certificate was issued to this effect in which the victim disclosed



her age to be 21 years.

It appears that subsequently the victim was married and she disclosed her age to be 21 years, but her age was assessed by the doctor who disclosed that the victim was about 14 years on the date of occurrence. The victim also disclosed her age to be 14 years in the statement recorded under Section 164 of the Code of Criminal Procedure and also alleged that the petitioner committed rape with her.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months, if the trial is not concluded the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J.)

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