

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60347 of 2017

Arising Out of PS. Case No.-99 Year-2017 Thana- GARAUL District- Vaishali

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Bhikhari Rai S/o Sri Jimdar Rai @ Jamadar Rai, R/o Village- Chandwara,
P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363/366A of the Indian Penal Code.

Prosecution case as per the written report of Umesh Kumar is to the effect that on 05.05.2017 his niece Sulekha Kumari was kidnapped by the petitioner.

It is submitted by learned counsel for the petitioner that in 164 Cr. P.C. statement the victim got her age recorded as 18 years, when the learned Court below assessed her age as 15 years and as per entry made in the school certificate she was 15 years, but as per medical opinion she was aged about 17 to 18 years. In 164 Cr. P.C. statement the victim has stated that she of



her own has married the petitioner and wants to reside with him. Moreover, at present she is residing with the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the medical opinion as well as the statement of the victim girl recorded under section 164 Cr.P.C., let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM-Vaishali at Hajipur in connection with Goraul (Katahara O.P.) P.S. Case No. 99 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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