

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39256 of 2018

Arising Out of PS.Case No. -59 Year- 2018 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

=====

1. Vikash Kumar S/o Ramanand Sahani, R/o Vill.- Raghunathpur, P.S.-
Bhagwanpur, District- Vaishali. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

3 10-07-2018 Heard learned Counsel for the petitioner and the State as also
the learned Counsel appearing on behalf of the informant.

Petitioner, already in custody since 28.4.2018, seeks bail in
Bhagwanpur PS Case No. 59 of 2018 registered under Sections 363
and 366A of the IPC.

The allegation in brief is that the informant's minor daughter
student of Class IX was enticed away by the petitioner and others.

Learned Counsel for the petitioner submits that it was a case
of elopement, the girl's statement could not be recorded by the
Magistrate as she stated that she was under pressure of her parents
and police, the Magistrate assessed her age 17 years and she
disclosed her age 18 years and the petitioner is in custody since
28.4.2018.

Whereas learned Counsel appearing on behalf of the
informant opposes the prayer for bail and submits that the girl is
minor only 15 years of age as per her certificate of the school.

Having considered the said facts and circumstances and in
particular assessment of age by the Magistrate, the petitioner,
namely, Vikash Kumar is directed to be released on bail on
furnishing bail bonds of Rs. 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of ACJM III
Vaishali at Hajipur in connection with Bhagwanpur PS Case No. 59
of 2018.

Snkumar/-

(Arun Kumar, J)



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