

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44852 of 2018

Arising Out of PS. Case No. -151 Year- 2017 Thana -PATRAKARNAGAR District- PATNA

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Suraj Kumar, aged about 22 years, son of Baiju Thakur @ Bechu Thakur, Resident of Village - Guriya Basmata (Harla), P.O. & P.S. - Lakshmipur, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Dubey, Advocate

For the State : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner, who is in custody since 03.04.2017, has renewed his prayer for bail in connection with S.T. No. 252 of 2018 arising out of Patrakar Nagar P.S. Case No. 151 of 2017 for the offences alleged under Sections 363 and 366(A) of the Indian Penal Code having earlier been rejected by this Court by order dated 13.11.2017 in Criminal Miscellaneous No. 51632 of 2017.

3. Learned counsel for the petitioner submits that as a matter of fact, under some pressure the so-called victim girl has stated her age to be 16 years whereas in fact, her date of birth, according to her Aaddhar Card, is 02.02.1998. It is therefore submitted that on the alleged date of occurrence, she was major. After attaining the age of majority she has solemnized marriage with the petitioner voluntarily on 31.03.2017 and executed an affidavit to that effect.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-XI, Patna in connection with S.T. No. 252 of 2018 arising out of Patrakar Nagar P.S. Case No. 151 of 2017, subject to the following conditions:-

(i) That the petitioner shall appear before learned court below along with the victim girl and the provisional bail granted to the petitioner shall be confirmed on satisfaction of learned court below with regard to her identity and genuineness of Aaddhar Card showing her date of birth as 02.02. 1998.

(ii) That one of the bailors shall be a close relative of the petitioner.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

B.T/Chandran

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