

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63846 of 2018

Arising Out of PS. Case No.-158 Year-2018 Thana- UCHKAGAON District- Gopalganj

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1. Nitish Kumar @ Nitesh Kumar, Son of Amarjit Yadav,
 2. Manju Devi, Wife of Amarjit Yadav, Both are resident of Village- Nawada Parsauni, Police Station- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for the informant.

Petitioners apprehend their arrest in connection with Uchakagaon P. S. case no. 158/2018 registered under section 366A/34 of the IPC.

Statement of victim has been recorded under section 164 Cr.P.C in which she, specifically, stated that she was in love with the petitioner no.1 and eloped with him by her own sweet will and subsequently, she solemnized her marriage with him. The victim disclosed her age as 21 years but the learned Magistrate who recorded statement of the victim assessed her



age as 16 years.

Learned counsel appearing for the informant submits that, as a matter of fact, at the time of alleged occurrence, victim was only 13 years old. However, he admitted that up till now, victim has not been medically examined.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the 9th Addl. Chief Judicial Magistrate, Gopalganj in Uchakagaon P. S. case no. 158/2018 subject to condition as laid down under section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

s.hassan/-

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