

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1564 of 2018

Arising Out of PS. Case No.-41 Year-2016 Thana- RAGHOPUR District- Vaishali

Vidhyanand Kumar @ Bidhyanand Rai Village - Birpur, Jurawanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. SRI ANUJ KUMAR SRIVASTAVA

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 363 and 366(A)/34 of the IPC.

The prosecution case is to the effect that the petitioner in league with Pappu Rai and Kamlesh Rai kidnapped the sister of the informant on 8.5.2016.

It is submitted by learned counsel for the petitioner that in 164 Cr.P.C. statement the victim got her age recorded as 19 years whereas the court assessed her age as 18 years, while the victim has stated in her 164 Cr.P.C. statement, that she of her own married the petitioner. The victim was examined by the medical board when she was found between 18 to 19 years of age. The issue of release of the victim Kavita from remand



home was agitated in Cr.W.J.C. No. 1152 of 2017 wherein this Court treating the victim as major in view of the opinion of the medical board, directed for her release.

Considering the statement of the victim under section 164 of the Cr.P.C. coupled with the fact that the medical board as well as the court found her to be major, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 41 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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