

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29683 of 2018

Arising Out of PS.Case No. -45 Year- 2018 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Kanhaiya Yadav S/o BAnkelal Yadav, R/o Vill.- Chandraha Roopbaliya,
P.S.- Balwariya, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Sinha

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner who is in custody since 24.03.2018 seeks bail in connection with Chautarwa (Bathwariya) P.S. Case No. 45/2018 registered for the offences punishable under sections 341, 323, 366(A) and 504/34 of the Indian Penal Code.

It has been submitted that the daughter of informant is major and she voluntarily left her house and married with this petitioner. The victim was produced before the Magistrate and her statement was recorded under section 164 Cr.PC. where she disclosed her age in between 19-20 years, however the Magistrate has assessed her age as 20 years. The victim was also produced before the Medical Board where the doctor has reported her age in



between 19-20 years. The victim is presently residing in the house of her husband at her own choice.

The learned counsel for the informant on the other hand opposed the submission by submitting that as per educational certificate, the age of the victim is approaching at about 18 years.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Additional Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Chautarwa (Bathwariya) P.S. Case No. 45/2018 subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

Mahesh/-

U		T	
---	--	---	--

