

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59157 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- BANKA District- Banka

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Dilip Kumar Yadav S/o Ambika Yadav, R/o Vill.- Kushha, P.S.- Fullidunar ,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Sri Indra Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Banka PS Case No.77 of 2018 instituted for offences under
Sections 366(A), 506, 504, 34 of the Indian Penal Code and
Section 8 of POCSO Act.

Allegation has been made by the grand father, who is
the informant of the case, that his grand daughter was kidnapped
by the petitioner for the purposes of marriage. From the
impugned order it appears that both have entered into marriage.
As per the grand father, the age of the girl is 13 years while the
victim girl in her statement under Section 164 CrPC has
disclosed herself that she is 15 years of old. According to the
Medical Board, the age of the girl has been assessed as 18 years.



Learned counsel for the petitioner submits that the girl was handed over to her parents. At present she is now living with the petitioner and the petitioner has now been blessed with a child out of the wedlock with the girl.

Keeping in view the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let the petitioner, namely, Dilip Kumar Yadav be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand0 with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Banka in connection with Banka PS Case No. 77 of 2018, subject to the conditions as laid down under Section 438(2), Code of Criminal Procedure.

(Shivaji Pandey, J)

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