

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68458 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- BELDOUR District- Khagaria

1.Md. Nasim son of Md. Ali Hasan
2. Md. Mokim son of Md. Ali Hasan
3. Md. Mofil son of Md. Ali Hasan
4. Md. Kousar Alam son of Md. Ali Hasan all are resident of village Saround
Kala, Ward No. 12 P.S- Bihariganj, dist- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 366(A)/34 of the
Indian Penal Code

The statement of the victim has been recorded under
section 164 of the Cr.P.C in which she specifically stated that
she left the house of her parents by her own sweet will and
subsequently, she went to Jammu along with co-accused Md.
Martin with whom she solemnized her marriage. The victim
disclosed her age as 20 years though the learned Magistrate has
assessed her age as 16 years. However, the impugned order of



the I/C Sessions Judge, Khagaria goes to show that the victim has not been medically examined as yet.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that the victim had not uttered even a single word against the petitioners, let petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Beldour P.S. Case No. 117 of 2018 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Hemant Kumar Srivastava, J)

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