

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9051 of 2018

Arising Out of PS.Case No. -479 Year- 2017 Thana -BAKHTIYARPUR District- PATNA

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1. Rahul Kumar S/o Meghu Kumar Yadav @ Meghu Ray, R/o Village-
Dedaur, P.S.- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Anita Kumari Singh, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 18-04-2018 Heard learned counsel for the petitioner, learned

counsel for the informant and learned Additional Public

Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 363/365/34 of the Indian Penal
Code and Section 12 of the POCSO Act.

The statement of the victim girl, recorded under
Section 164 Cr.P.C., would reveal that she had love-affairs with
Raushan Kumar, the full brother of this petitioner, and she has
already married with Raushan Kumar.

Learned counsel for the informant opposed the
prayer on the ground that the victim was a minor and as such
incompetent to marry.



The learned Magistrate has also assessed age of the victim as 19 years.

Considering the statement of the victim girl, under Section 164 Cr.P.C., wherein she has not alleged anything against anyone including the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Baktiyarpur P.S. Case No.479 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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