

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53935 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- DUMRAO District- Buxar

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Pankaj Kumar Yadav @ Khatai, S/o Anil Kumar Yadav, Resident of Village-
Nawadera, P.S.- Dumraon (Naya Bhojpur O.P.), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Dumraon (Naya Bhojpur O.P.) P.S. Case No. 271 of 2018

registered under Section 366(A)/34 of the Indian Penal Code.

The accusation against the petitioner is to kidnap the

minor daughter of the informant for the purpose to perform the

marriage.

Learned counsel for the petitioner submits that, in

fact, daughter of the informant, who is major, left her parental

house according to her own sweet will and came in the company

of petitioner and performed the marriage in temple, which

would appear from the statement of victim recorded under



Section 164 of the Cr.P.C. (Annexure 2), in which, she also disclosed her age as 19 years and the Judicial Magistrate also assessed her age as 19 years.

On the other hand, learned counsel for the state and the learned counsel for the informant submits that in medical examination, the age of victim is assessed in between 16 to 17 years.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No. 271 of 2018. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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