

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67591 of 2018

Arising Out of PS. Case No.-398 Year-2018 Thana- BHABHUA District- Bhabhua (Kaimur)

Bikash Bind @ Bikash Kumar Son of Babu Lal Bind Resident of Village
Goraipur, P.S. Bhabua, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bhabhua P.S. Case No. 398/2018 registered for the offences
punishable under Sections 366(A)/34 of the Indian Penal Code
and Section 6 of the Protection of Children from Sexual
Offences Act.

The statement of victim has been recorded under
Section 164 of the Cr.P.C., in which she, specifically, stated that
she has solemnised her marriage with the petitioner by her own
sweet will and no one had kidnapped her. The victim disclosed
her age as 18 years, whereas learned Magistrate, who recorded
the statement of victim, assessed her age as 16 years.

The impugned order goes to show that the victim was



medically examined but no finding in respect of her age was given by the doctor.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his 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 learned Additional Sessions Judge I – cum – Special Judge, Kaimur at Bhabua in Bhabhua P.S. Case No. 398/2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

Spd/-

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

