

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11508 of 2019**

Arising Out of PS. Case No.-256 Year-2018 Thana- MAHARAJGANJ District- Siwan

VIKASH KUMAR Son of Basawan Sah r/o- Pasnauli, P. S. - Mahrajganj,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

2 26-02-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Mahrajganj P. S. Case
No. 256 of 2018 instituted for the offence under Section(s)
376/34 of the Indian Penal Code and Section 4/8 of POCSO
Act.

The informant has alleged in the written report that
her daughter Pinki Kumari aged about 16 years was taken away
by petitioner and others on the pretext of marriage on
24.10.2018. It is further alleged that accused persons took her
to Bangalore and Delhi where physical relation was established.
It is alleged that on 2.11.2018 her daughter was left to her
sister's house at village Skandipur and then accused persons
fled away. The informant went to her sister's house where the



victim narrated the whole story to him.

The victim girl has given her statement U/s 164 Cr.P.C., which is annexed as Annexure-2 to bail petition, wherein, she has stated her age to be 17 years. The Court has assessed her age to be 17 years. From the statement recorded U/s 164 Cr.P.C. it appears that she was in love affairs with the petitioner and she has gone to different places with the petitioner out of her own will. She has been medically examined, wherein, the medical Board has assessed her age to be 19 to 20 years.

The petitioner is in custody since 27.11.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the A.D.J. 1st cum Spl Judge, Siwan, in connection with Mahrajganj P. S. Case No. 256 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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