

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27257 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- BHAPTIAHI District- Supaul

CHANDRA PRAKASH MEHTA Son of Mohan Prasad Mehta Resident of
Village-Narayanpur, Block-Saraigadh Bhaptiyahi, P.S.-Bhaptiyahi, District-
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Bhaptiyahi P. S. Case
No. 3 of 2019 instituted for the offence under Section(s) 376
of the Indian Penal Code and Sections 9, 10 of the Child
Marriage Prohibition Act, 2006.

Learned counsel for petitioner submits that informant
has filed the instant case due to enmity with the petitioner. The
informant has claimed herself to be President Gender Alliance,
Patliputra Colony 101, Anand Apartment, levelling allegation
that this petitioner performed marriage with Guriya Kumari
aged 15 years which is punishable under the provisions of Child
Marriage Prohibition Act, 2006. Learned counsel further



submits that father of the victim has filed an affidavit to the effect that girl is major and in proof of the age father of the victim has produced *Janam Kundli* which reflects that girl is more than 18 years. It has further been submitted that victim girl has given her statement U/s 164 Cr. P. C. which is annexed as Annexure 3 to the bail petition, wherein, she has stated her age to be 18 years and Court has also assessed her age to be 18 years. She has stated that she was married with this petitioner with consent of her parent.

Petitioner is in custody since 4.1.2019.

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 CJM Supaul, in connection with Bhaptiyahi P. S. Case No. 3 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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