

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47959 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- ARARIA District- Araria

Sanish Gupta @ Sanish Anand S/o Siyaram Gupta Resident of Village- Araria
R.S., Ward No.03, R.S.- Hatiya Road, P.S.- Araria R.S., District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 22-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Araria (R.S) P.S. Case No. 41 of 2021, registered for the offence under Section 366-A/34 of the Indian Penal Code.

It is submitted on behalf of petitioner that the victim girl, in her statement recorded under Section 164 Cr.P.C., has stated that out of her own sweet-will, she had eloped with the petitioner and solemnized marriage with him. As per Medical Report (Annexure – 3), the victim was examined and the doctor has assessed her age between 18 to 20 years. Petitioner has got clean antecedent and he is in custody since 16.06.2021.

However, learned counsel for the State and informant vehemently opposed the bail petition and submitted that the learned court below has assessed the age of victim as 15 years,



and the victim herself has stated her age to be 15 years.

Considering the aforesaid facts and circumstances as well as statement of the victim girl recorded under Section 164 Cr.P.C., the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Araria in connection with Araria (R.S) P.S. Case No. 41 of 2021.

(Prabhat Kumar Singh, J.)

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