

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30969 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- WAJIRGANJ District- Gaya

VIKASH KUMAR @ VIKASH PATHAK Son of Late Devendra Pathak
Resident of Village - Farda - Dih Tola, P.S.- Naya Ram Nagar, Dist.- Munger
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-01-2022 Heard Mr. Shubhesh Pandey, learned Advocate
for the petitioner and Mr. Ashok Kumar Singh, learned
APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Wazirganj P.S. Case No. 28 of
2021 dated 16.01.2021 instituted for the offences under
Sections 366(A)/379 of the Indian Penal Code.

The daughter of the informant is said to have
been abducted by one Suraj Pathak in which act, the
informant has suspected that the petitioner also has
played a part.

Learned counsel for the petitioner has submitted
that the daughter of the informant has given her
statement before the police that she has, of her own
volition, married Suraj Pathak and is about 19 years of
age. She has disclosed her date of birth to be
05.01.2002.



The petitioner is the elder brother of aforesaid Suraj Pathak.

The learned counsel for the petitioner has submitted that during the course of investigation, the victim was made to give her statement under Section 164 Cr.P.C., in which she has disclosed her age to be 18 years but her age has been assessed by the Magistrate recording the statement to be 19 years.

Be that as it may, regard being had to the fact that the brother of the petitioner has married the daughter of the informant who herself claims that she is a major, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Gaya in connection with Wazirganj P.S. Case No. 28 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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