

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36439 of 2014

Arising Out of PS.Case No. -249 Year- 2013 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Om Prakash S/o Munnilal Prasad Resident of Village Machhahan, P.S.
Motihari Muffasil, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

2 11-02-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner, who apprehends his arrest in connection with a case registered for the offence punishable under Sections 366A/34 of the Indian Penal Code, is one of the named accused in this case on suspicion with allegation to get the minor daughter of the informant kidnapped.

Submission is of false implication. In fact, the girl has soft relationship with the petitioner for long and she voluntarily left the place with him. Further in her statement she accepted the facts of such relationship and desires to continue the relationship of husband and wife with the petitioner, **who carries no criminal antecedents.**

If it is so, in the event of filing duly verified petition supported with personal affidavit undertaking getting the marriage, with the victim girl, duly registered, in accordance with law within six months from the date of communication/receipt of the order, in the event of his

arrest or surrender before the court below within four weeks, let the petitioner abovenamed be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, East Champaran at Motihari** in connection with **Motihari Muffasil P.S. Case No.249 of 2013**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

Ashwini/-

(Akhilesh Chandra, J)

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