

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6145 of 2015

Arising Out of PS.Case No. -140 Year- 2013 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Rustam Ansari son of Lal Babu Ansari @ Nasaruddin Ansari Resident of
village - Mujan, Police Station - Mohania, District - Kaimur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey

For the Opposite Party/s : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 16-02-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
31.10.2014 in a case registered for the offences punishable under
Section 366A of the Indian Penal Code.

The accusation is of kidnapping the daughter
of the informant for the purposes of marriage.

Though, in 164 Cr.P.C. statement the victim
supported the accusation against the petitioner, but it is submitted
by learned counsel for the petitioner that subsequent to the
recording of the Statement under Section 164 Cr.P.C. the victim
filed a petition before the learned court below that she is aged
about 19 years and after converting her religion she and this

petitioner married and now she has given birth to a female child also. Her 164 Cr.P.C. statement was recorded on the pressure of the family members. It is further submitted by learned counsel for the petitioner that during medical examination the victim has been found between 17 to 19 years. The marriage certificate, suggesting the marriage between the petitioner and the victim, has also been brought on record as Annexure-2.

Considering the aforesaid facts, let the above named petitioner, be released on bail provisionally for six months on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 140 of 2013.

In the meantime, the learned court below will fix a date when the petitioner will produce the victim before the learned court below and if she accepts that she of her own residing with the petitioner, then the provisional bail will be confirmed by the learned court below.

(Dinesh Kumar Singh, J)

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