

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51335 of 2015

=====

Amit Kumar Mandal son of Parmod Mandal, Resident of village- Saidpur,
Police Station- Mansi, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Nirmal Kr.Sinha(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 10-11-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 366A
of the Indian Penal Code.

The prosecution case is of abducting the
minor daughter of the informant. In 164 Cr.P.C. statement the
victim has alleged that this petitioner kidnapped and established
physical relationship.

It is submitted by learned counsel for the
petitioner that subsequently the victim went in the
company of the petitioner and at present she is residing
with the petitioner. She has also filed a petition before the
learned court below that she has married with the
petitioner and she was major at the relevant time as per

school leaving certificate. Though, in 164 Cr.P.C. statement she got her age recorded as 15 years when the court has assessed as 18 years.

In the circumstances, let the above named petitioner be released on anticipatory bail provisionally for two months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Khagaria in connection with Mansi P.S. Case No. 103 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The petitioner will produce the victim girl before the learned court below on 07.12.2015 and if the victim admits that she married the petitioner of her own then the provisional bail of the petitioner will be confirmed by the learned court below, but if the victim does not admit the factum of marriage then the petitioner will surrender and pray for regular bail.

DKS/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--