

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17433 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -RAJPUR District- SASARAM (ROHTAS)

1. Abhimanu Singh S/O Umesh Singh Resident of village- Kapasia, P.S.-
Rajpur/Nasriganj, District- Rohtas (Sasaram)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 30-06-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 366 (A) and 34 of the I.P.C

Allegedly, the minor daughter of the informant was
kidnapped by the petitioner and during investigation her statement
has been recorded under section 164 of the Cr.P.C. wherein she
has supported the allegation of kidnapping and further that she
was forced to marry and her several signatures were obtained on
plain papers.

Submission is of false implication and that the victim
girl as a matter of fact being major solemnized her marriage with
her own sweet will, the doctor who has examined the victim has
found her age between 18-19 years and further there is no
allegation of committing sexual assault and the doctor has also not

found any sign of rape, other co-accused have been allowed bail, the fardbeyan has been recorded after delay of one month and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that the victim girl has supported the allegation of kidnapping and forcible marriage but it is true that she has not stated regarding any sexual harassment with her.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to 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 C.J.M. Rohtas at Sasaram in Rajpur/ Nasriganj P.S. Case No. 42 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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