

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 5708 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -ITARHI District- BUXAR

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Tuntun Chaudhary @ Tuntun Kumar Chaudhary son of Shiv Bachan Chaudhary, resident of village and Post Office- Girdharpur, P.S.- Sikraul, District- Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav

For the Opposite Party/s : Mr. Jitendra Kr. Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-02-2016 Heard Sri Parijat Saurav, learned counsel for the petitioner and Sri Jitendra Kumar Singh, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Itarhi P.S. Case No. 244 of 2015 registered for the offence under Sections 363, 366A/506 of the Indian Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner that it was not a case of kidnapping, rather the daughter of the informant had voluntarily gone with the petitioner and has solemnized marriage with him. Learned counsel for the petitioner, by referring to **Annexure – 2** to the petition i.e. statement of the victim recorded under Section 164 Cr.P.C., submits that even

before the learned Magistrate, the victim has stated that voluntarily she has solemnized the marriage with the petitioner and besides this, he submits that in the voter list, the age of the victim is recorded as 24 years.

In view of the facts and circumstances, particularly the fact that the victim girl, who had disclosed her age as 22 years as well as the fact that she had voluntarily gone with the petitioner, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of his arrest or surrender before the court below within a period of six weeks from today, let the petitioner namely Tuntun Chaudhary @ Tuntun Kumar Chaudhary be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.K.Singh, learned ACJM II, Buxar/ concerned court in connection with Itarhi P.S. Case No. 244 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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