

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9332 of 2016

Arising Out of PS.Case No. -326 Year- 2014 Thana -FORBESGANJ District- ARRARIA

1. Sujit Kumar Son of Raghu Mandal, resident of Village- Bara, P.S.-
Simraha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mr. Rita Verma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 365,
366A/34 of the Indian Penal Code.

Accusation is of abducting the minor daughter of
the informant.

It is submitted by the learned counsel for the
petitioner that in 164 Cr.P.C. statement the victim got her age
recorded 14 years, the Court assessed her aged 15 years and
during medical examination doctor found her aged between 15-
16 years. She has stated in her 164 Cr.P.C. statement that she
was in love with petitioner and she established physical
relationship with him of her own sweet will.

It is submitted by the learned counsel for the

petitioner that victim has not supported the accusation of abduction. The informant has retracted from the initial version and filed a petition to that effect before learned court below.

Considering the fact that the victim has been found minor, this Court is not inclined to grant bail to the petitioner. But let the learned court below consider the prayer for regular bail of the petitioner keeping in view of the fact that the victim of her own went with the petitioner to perform marriage, informant has retracted from the initial version and now from the wedlock the victim has a child also, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Forbesganj (Simraha) P.S. Case No. 326 of 2014, pending in the court of learned Chief Judicial Magistrate, Araria.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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