

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41663 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -BAKHTIYARPUR District- PATNA

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Mukesh Kumar, Son of Rajeshwar Rai, Resident of Village- Ghoshwari
(Ghoshwari Tola Tetar Bigha), P.S.- Bakhtiyarpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and learned A.P.P.
representing the State.

The petitioner seeks bail in connection with Bakhtiyarpur P.S. Case No. 21 of 2016 registered for the offences punishable under Sections 366-A/34 of the Indian Penal Code and 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.

Allegedly, the petitioner and co-accused kidnapped the minor daughter of the informant for the purpose of marriage. During investigation, the statement of the victim girl was recorded under Section 164 Cr. P.C., wherein, she has supported the allegation of kidnapping against the petitioner and further that the petitioner forcibly married with her.

Submission is of false implication and that in this case the

victim is a major and she has married with this petitioner out of her own sweet will. Marriage certificate was granted by Arya Sarva Samaj Shree Ram Seva Dham Trust and as such, the petitioner deserves sympathetic consideration. In this case charge-sheet has been submitted under Sections 363, 366-A and 376 of the Indian Penal Code.

Learned A.P.P. opposes the prayer for bail by submitting that the victim girl has supported the allegation of kidnapping as well as forcible marriage with her by the petitioner.

In the facts and circumstances stated above, considering the allegation attributed against this petitioner, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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