

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27285 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -BARARI District- KATIHAR

Jiwachh Yadav @ Jibachh Yadav @ Jibachh Lal Yadav, son of Late Bhusi Yadav, resident of Kuriya, P.S. Barari, District-Katihar.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the Informant : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 24-08-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Barari P.S. Case No.69 of 2015 registered under Sections 366 'A', 323 and 504/34 of the Indian Penal Code.

The accusation is of kidnapping the victim, the minor daughter of the informant, by the co-accused Jitendra Yadav, the son of this petitioner, with the help of his other family members.

Submission on behalf of the petitioner is that, in fact, the victim fell in love with Jitendra Yadav, the son of the petitioner, and moved from the house at her own sweet will to perform the marriage with the co-accused Jitendra Yadav and performed the

marriage on 16.04.2015 with him in a temple at Bhagalpur but due to ulterior motive, the present case has been lodged by the informant. Moreover, in her statement recorded under Section 164 of the Code of Criminal Procedure, the victim has stated about performing the marriage with Jitendra Yadav, the son of the petitioner, at her own sweet will in a temple at Bhagalpur and also said that due to wedlock, she has one son. On medical examination of the victim, the age of the victim has been assessed as 17 years.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar-3, Additional Chief Judicial Magistrate-V, Katihar, in connection with Barari P.S. Case No.69 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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