

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37618 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -SAHKUND District- BHAGALPUR

1. Kalam Ansari @ Md. Kalam Ansari @ Md. Kalam Son of Md. Nisar Ansari, Resident of Village- Shekhpura, P.S. Sahkund (Sajourn), District- Bhagalpur,

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Mobark Ansari Son of Late Anwar Ansari Resident of Village- Shekhpura, P.S. Sahkund (Sajjor) District- Bhagalpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Smt. Veena Rani Prasadd.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 366A,323,504 and 506/34 of the Indian Penal Code.

The prosecution case is that the petitioner abducted the minor daughter of the informant namely Arisha Khatoon with intention to marry her. Subsequently, the brothers of the petitioner assured that the petitioner will marry the daughter of the informant.



In the 164 Cr.P.C. statement recorded on 26.11.2015 the victim girl stated she was taken to Ludhiana and assurance was given by the petitioner that he will marry her where she stayed for six months and the petitioner established physical relationship with the daughter of the informant. Subsequently, the brother of the petitioner got the victim reached to her house when some panchayati took place but the petitioner did not get ready to marry with the victim girl.

It is submitted that in 164 Cr.P.C. statement the age of the victim girl has been recorded as 17 years. Subsequently, on 6.1.2016 a compromise petition was filed before the learned court below to the effect that the victim has performed marriage with the petitioner.

Considering the 164 Cr.P.C. statement of the victim girl, her age as she is approaching majority and subsequent filing of the compromise petition, it is a case for consideration of the prayer for bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Sahkund (Sajour) P.S. Case No. 203 of 2015 pending

in the court of learned SDJM, Bhagalpur.

This application is disposed of with
the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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