

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48784 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -AMARPUR District- BANKA

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Md. Imran @ Imran Son of Late Md. Wahab Resident of Village-
Sultanpur, Police Station- Amarpur, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 21-12-2016 Heard the counsel for the petitioner and the State.

The petitioner prays for grant of anticipatory bail in
Amarpur P.S. Case No. 24 of 2016 registered under section 366A
IPC.

The informant lodged the case that the petitioner enticed
her 15-year-old daughter to accompany him on 10.01.2016 and
since then she is traceless. An information was, however, lodged
on 19.01.2016.

The contention of the petitioner is that the victim is major
and out of her own free will she married with the petitioner on
12.01.2016 which was registered by the authorities of the
Chhatisgarh State vide Annexure-2. The victim was produced for
her statement under section 164 Cr. P.C. wherein the learned



Magistrate assessed her 17 years old whereas she disclosed 18 years as her age and she stated that on her own free will she had solemnized marriage with the petitioner. Referring to the impugned order, it has been submitted that the mother of the victim has now accepted the marriage and in fact the victim is now pregnant.

Considering the materials on records, it appears that the victim has attained the age of understanding at least. If that be so, then considering her statement made under section 164 Cr. P.C. in my view, the petitioner deserves anticipatory bail. Let the petitioner above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka in Amarpur P.S. Case No. 24 of 2016 on condition that one of the bailors shall be his own/close family member.

(Kishore Kumar Mandal, J)

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