

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48600 of 2016

Arising Out of PS.Case No. -103 Year- 2016 Thana -HARLAKHI District- MADHUBANI

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Arvind Kumar Yadav @ Arvind Kumar, Son of Shyam Sunder Yadav @ Shyam Yadav, Resident of Village- Chhatauni, P.S. Basopatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 20-12-2016 Heard the counsel for the petitioner and Mr. Madhuranand Jha, APP for the State.

A supplementary affidavit is filed.

In this application the prayer is for grant of anticipatory bail in Harlakhi P.S. Case No. 103 of 2016 registered under section 366-A/34 IPC lodged by the father of the victim alleging that the petitioner took the minor girl along for her forceful marriage.

In course of consideration of anticipatory bail, notice was issued for appearance of the victim before the learned court below.

Learned counsel for the petitioner has referred to



the order dated 20.08.2016 wherein the learned Sessions Judge has recorded the victim, by her appearance, looked major and she stated that she voluntarily solemnized the marriage with the petitioner. The court directed her statement to be recorded under section 164 Cr. P.C. whereafter the same was recorded in which she resiled and alleged that she was forcibly kidnapped.

Counsel for the petitioner states with reference to the medical assessment report that the victim girl at least had attained the age of understanding. Under pressure of her parents she made a different statement under section 164 Cr. P.C.

Considering the facts and circumstances of the case, I am persuaded to extend the petitioner the privilege of 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 SDJM, Basopatti, Madhubani in Harlakhi P.S. Case No. 103 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of



charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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