

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30538 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

=====

Rahul Kamti, S/o Shambhu Kamti, R/V- Hirani, P.S.- Kushehwar Asthan,
District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kusheshwar Asthan P.S. Case No.62 of 2015 registered under
Sections 363, 366 and 366(A)/34 of the Indian Penal Code.

The prosecution case is that on 22.02.2015 at about 04.00
P.M., the daughter of the informant had gone to defecate but she
did not return. In course of search, the informant came to know
that 9 persons, named in the F.I.R., including the petitioner had
kidnapped his daughter and sent her with the petitioner on the
auto-rickshaw of co-accused Laxman Kamti.

Learned counsel appearing on behalf of the petitioner

submits that the daughter of the informant fell in love with the petitioner and as she conceived pregnancy, she left her house at her own sweet will and performed the marriage with the petitioner. She has a female child of three months. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure has stated the aforesaid facts. At the time of recording the statement of the victim, the Judicial Magistrate has assessed her age to be 16-17 years whereas the victim has stated her age as 19 years. On being annoyed, the informant has lodged this false case.

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 the S.D.J.M., Biraul, District-Darbhanga, in connection with Kusheshwar Asthan P.S. Case No.62 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--