

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47775 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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JWALA ROY @ JWALA RAI son of Ram Prit Roy Resident of Village-
Sarangpur Tola Ram Gandhi, Police Station- Tajpur (Halai O.P.), District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 21-12-2016 Heard the counsel for the petitioner, the State as well as

the counsel for the victim girl who has appeared on her own to

state that she is major and has solemnized marriage with the

petitioner on her own volition.

The petitioner prays for grant of anticipatory bail in
Tajpur (Halai O.P.) P.S. Case No. 202 of 2016 registered under
section 366/34 IPC.

The father lodged the case that his eighteen-year-old
daughter was enticed away by the petitioner. Subsequently, he
received a call from his daughter that she solemnized marriage on
her own free will with the petitioner.

It is stated that the victim is major and, as such, she has



a right to select/choose her husband which she has done.

Counsel for the victim girl has also stated before the Court that the victim solemnized the marriage on her own free will and that she is major. Even according to the FIR, she is about 18 years of age.

Considering the facts and circumstances of the case, 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 ACJM-I, Samastipur in Tajpur (Halai O.P.) P.S. Case No. 202 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 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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