

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18872 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Mukesh Kumar Sah, Son of Sri Chitranjan Sah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Durgesh Nandan (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioner, learned

counsel for the informant as well as learned Additional Public

Prosecutor for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Section 366/34 of the Indian Penal

Code.

The statement of victim was recorded under Section

164 of the Cr.P.C. on 25.02.2016 whereas the alleged occurrence

took place on 25.01.2016. The victim was major at the time of

alleged occurrence as it is evident from the written report itself.

The victim stated that on the alleged date of occurrence, she was

kidnapped by the petitioner and thereafter, she was confined in a

house. She further stated that petitioner forcibly took her signature

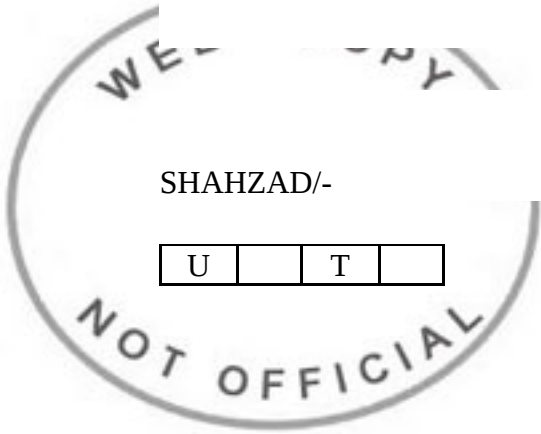
and photographs and got prepared marriage certificate. However, the victim admitted that while she was confined in the said house, she was in talking term with her parents. Moreover, she also admitted that she was brought to her home by the petitioner himself.

Contention on behalf of the petitioner is that the victim was in love with the petitioner but subsequently, when she came under the control of her parents, she took U-turn and stated the concocted story of kidnapping.

On the other hand, learned counsel appearing for the informant vehemently opposed the prayer submitting that the victim was confined by the petitioner in his house and thereafter, victim was compelled to sign some plain papers which were later on converted into marriage certificate and other relevant documents. Moreover, when the parents of victim gave assurance of marriage to the petitioner, the petitioner brought the victim before them.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody since 25.02.2016, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the

satisfaction of Chief Judicial Magistrate, Begusarai in connection
with Begusarai Muffasil (Singhaul) P.S. Case No. 60 of 2016.



(Hemant Kumar Srivastava, J)