

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37736 of 2016

Arising Out of PS.Case No. -855 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Raju Sah @ Raju Kumar, son of Binod Sah, resident of Village- Mela Road, Bhavdepur, Ward No. 21, P.S. & District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Panchanand Pandit, APP.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 17-10-2016 Petitioner is accused of offence punishable under Sections 363, 366A/34 of the Indian Penal Code vide Sitamarhi P.S. Case No. 855 of 2014.

The informant has alleged that his minor daughter was kidnapped by the petitioner. The girl, on retrieval, made statement under Section 164 Cr.P.C. (Annexure-2) wherein she has stated that on her own volition, she married the petitioner. The Magistrate assessed her age at 17 years whereas she disclosed her age as 19 years.

Learned APP has submitted that from the impugned order it appears that the age of victim girl was medically assessed and she was found between 18-19 years.

Considering the above as also the statement made by the victim girl, I am persuaded to extend the petitioner privilege of

anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned I/C Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 855 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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