

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22183 of 2016

Arising Out of PS.Case No. -17 Year- 2010 Thana -JALE District- DARBHANGA

=====

1. Pravin Kumar Sharma S/o Bindeshwar Sharma resident of Vill -
Dhankaul, P.S. - Jale, Dist - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Shailendra Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 05-07-2016

Heard the learned counsel for the petitioner, the
learned A.P.P for the State as also the learned counsel for the
Victim.

The petitioner seeks bail in a case for the offences
punishable under sections 366A and 120B/34 of the I.P.C

Kanchan Kumari, aged 15 years, the daughter of the
informant was allegedly kidnapped by the petitioner and other co-
accused.

Submission is of false implication and that Kanchan
Kumari is not minor rather she is major, she has performed
marriage with the petitioner out of her own sweet will and
consent, she has been living in the house of the petitioner, she has
given birth of a child who is at present aged five years, she is also
present with her child in this court with her learned counsel, she
has filed compromise petition also in the learned court below in

this regard, during investigation her statement has not been recorded by the police or under section 164 of the Cr.P.C and without making proper investigation charge sheet has already been submitted.

The learned A.P.P. submits that as per the First Information Report Kanchan Kumari is minor.

The learned counsel for the victim Kanchan Kumari, on the other hand, submits that she is major and at present she is having a child of five years. She has been residing in the house of the petitioner happily

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Darbhanga in Jale P.S. Case No. 17 of 2010, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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