

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56785 of 2015**

Arising Out of PS.Case No. -93 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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1. Subhash Kumar Sah S/o Shatrughan Sah resident of Village- Harpur, P.S.  
Piprahi, District- Sheohar.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      19-01-2016                      Heard the Counsel for the petitioner and the APP for  
the State.

Petitioner is cited accused in Parsauni P.S. Case No.  
93 of 2015 registered under Sections 363 and 366A of the Indian  
Penal Code with respect to the incidence occurred on 25.8.2015.  
The F.I.R. was lodged on 1.9.2015 alleging that the minor  
daughter of the informant was kidnapped by the petitioner.

Referring to the Annexure-2, it has been submitted  
that the victim girl in her statement before the Court has stated that  
she on her free will married with the petitioner. She has disclosed  
her age as 20 years. The Court assessed her age as 16 years.

Contention of the petitioner is that from the statement  
she made, it can be gathered that she attained the age of  
understanding.

Considering the facts and circumstances of the case, 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 Sri Vipin Lawaniya, Judicial Magistrate, 1st Class, Sitamarhi in Parsauni P.S. Case No. 93 of 2015 in 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.

**(Kishore Kumar Mandal, J)**

Pankaj/-

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