

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34714 of 2017**

Arising Out of PS.Case No. -47 Year- 2017 Thana -DARBHANGA SADAR District-  
DARBHANGA

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Rahul Kumar @ Raja son of Raj Kumar Paswan resident of village -  
Andheri, Police Station - Sadar (Bhalpatti O.P.), District - Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar.

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

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**Appearance :**

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Ataur Rahman

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      25-08-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
16.02.2017 in connection with Sadar (Bhalpatti O.P.) P.S. Case  
No. 47 of 2017 for offences punishable under Sections 363,  
366(A) and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that his granddaughter aged 14 years has been taken away by the  
petitioner for the purpose of marriage.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, bears no criminal history and grand  
daughter of the informant in her statement under Section 164  
Cr.P.C. has stated that out of her own sweetwill she went to



Punjab and married the petitioner. Two medical boards have assessed her age to be 16-17 years and 18-19 years respectively. He submits that the victim is a major and no offence is made out against the petitioner as the victim girl has gone out of her own sweetwill and both are married as husband and wife.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar (Bhalpatti O.P.) P.S. Case No.47 of 2017.

**(Nilu Agrawal, J)**

Devendra/-

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