

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52987 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -KISHUNPUR District- SUPAUL

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Mithilesh Sharma @ Mithilesh Kumar @ Mithlesh Kumar, S/o Shiv Narayan Sharma, Resident of Village- Bhelwa, Ward No.11, P.S.- Kisanpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Kishanpur P.S. Case No. 77 of 2017 dated 16.04.2017 instituted for the offences under Sections 366(A) of the Indian Penal Code.

The petitioner is alleged to have kidnapped the victim, who is the daughter of the informant and married her in a temple.

According to the First Information Report, the victim girl went missing. It was later found out that she had been taken to Delhi and thereafter was brought to Patna. The petitioner is said to have married her in a temple.

Learned counsel for the petitioner has drawn the attention of this Court to the 164 Cr.P.C statement of the victim



girl who has stated that she was taken away by the petitioner on 10.04.2017. However, on the day of making such statement, she has also claimed that she is pregnant for about three months.

Learned counsel for the petitioner has submitted that there was an old affair between the petitioner and the victim girl and for some reason or the other, the parents of the victim girl were not desirous of accepting the marriage of the petitioner with her. The victim has herself stated her age to be 18 years.

The petitioner is in custody since 09.08.2017 and he does not have any criminal antecedent.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 77 of 2017.

(Ashutosh Kumar, J)

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