

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55773 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -AAYAR District- BHOJPUR

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CHANDAN KUMAR @ CHANDAK KUMAR, SON OF BIKASH SINGH@ BIKASH KUMAR SINGH RESIDENT OF VILLAGE-SAMARDAH, P.S.- BIHIYA, DISTRICT- BHOJPUR AT ARA (BIHAR).

.... Petitioner

Versus

THE STATE OF BIHAR. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Aiyar P.S. Case No. 49 of 2016 registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

Allegedly, the petitioner kidnapped the minor daughter of the informant with intention to marry with her. During investigation the victim girl was recovered and she stated that she went out of her own sweet will and consent and performed marriage with the petitioner, physical relationship has also been developed and now the petitioner is refusing to marry with her.

Submission is of false implication and that the petitioner is ready to keep the victim girl as his wife if she is ready to live with him, without any fault the petitioner is suffering in custody,



the victim girl has stated her age as 18 years though the learned Magistrate has recorded her age as 16 years. The victim girl being major has given consent for everything and as such the petitioner deserves sympathetic consideration to which learned APP fairly submits that if the petitioner is ready to keep her then lenient view can be taken.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Aiyar P.S. Case No. 49 of 2016, 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)

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