

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31527 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -JALE District- DARBHANGA

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Rahul Paswan, Son of Subodh Paswan, Resident of Village- Muraita, P.S.
Jalley, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jalley P.S.

Case No. 19 of 2017 instituted for the offence under Sections 363
and 366A of the Indian Penal Code.

It has been submitted that victim girl is major and she
has voluntarily married with the petitioner as would appear from
her statement recorded under Section 164 Cr. P.C.

In the written report there is allegation that the
daughter of the informant has been kidnapped by this petitioner.

Case diary has been received along with statement of
the victim girl recorded under Section 164 Cr. P.C. The victim in
her statement under Section 164 Cr. P.C. has stated her age 19
years. The court below has assessed her age to be 18 years. The



girl has stated that she had gone voluntarily with this petitioner and performed marriage with him.

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Jalley P.S. Case No. 19 of 2017, he shall 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 learned Additional Chief Judicial Magistrate-I, Darbhanga, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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