

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47299 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -BARHARA District- PURNIA

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Nafij @ Chhotu Son of Md. Yunus, R/o Madhepura, Toplish Mahaul, Ward
No. 10, P.S. & District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Smt. Rita Verma

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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 Barhara
P.S. Case No. 106 of 2017 dated 22.05.2017 instituted for the
offence under Section 366A of the Indian Penal Code.

The petitioner is alleged to have kidnapped the minor
daughter of the informant, aged about 16 years, for the purposes of
marrying her. The victim girl has given her statement under
Section 164 Cr.P.C., alleging that she is known to the petitioner
from before and the first wife of the petitioner happens to be her
cousin. She had eloped with the petitioner because she was angry
with her mother, who has scolded her on some occasion.

From the perusal of the statement made under
Section 164 Cr.P.C. by the victim, it appears that there was no



force exerted by the petitioner. The victim has come back home and now she does not want to stay with the petitioner.

Regard being had to the fact that there was no element of force in taking away the minor daughter of the informant and the period of custody i.e. from 21.06.2017, this Court is inclined to grant bail to the petitioner.

In the facts and circumstances, the petitioner above named is directed to be released on bail on furnishing his bail bond of a sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia in connection with Barhara P.S. Case No. 106 of 2017.

(Ashutosh Kumar, J)

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