

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11160 of 2017

Arising Out of PS.Case No. -104 Year- 2016 Thana -PIRI BAZAR District- LAKHISARAI

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1. Bablu Kumar Das @ Abhijeet Kumar, son of Jagjeevan Das,
2. Arbind Kumar Das, son of Bhola Das, Resident of Village- Losghani,
Police Station- Piri Bazar, District- Lakhisarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-04-2017

Heard both sides.

The petitioners apprehend their arrest in Piri Bazar P.S. case no. 104 of 2016 registered for the offences punishable under Sections 366(A) of Indian Penal Code and Sections 8 & 12 of Protection of Children from Sexual Offences Act, 2012.

The informant alleged that the petitioners kidnapped his minor daughter for the purpose of marriage.

Learned counsel for the petitioners submit that that the victim herself left her house and went along with the petitioner no. 1 to Patna and solemnized marriage with him and petitioner never kidnapped the victim. It is further submitted that the doctor assessed the age of the victim to be of 19 years.

Learned A.P.P. and learned counsel for informant vehemently opposed the prayer for anticipatory bail and submit



that the victim is a minor girl.

From perusal of the statement of victim girl recorded under Section 164 of Code of Criminal Procedure, it appears that she has stated that she herself left her house and along with Bablu, she came to Patna by Vikramshila Express. She has solemnized marriage with Bablu in a temple and she is living with him. When she came to know about the institution of case by her father, she came and made her statement. She further disclosed that she voluntarily went along with Bablu.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of like amount each to the satisfaction of learned A.D.J.-1st, Lakhisarai-cum-Special Judge (POCSO), Lakhisarai.

(Prabhat Kumar Jha, J.)

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