

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54796 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -DARIYAPUR District- SARAN

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Golden Singh S/o Anil Singh, resident of Village-Dhanadih, P.S.-Rasulpur,
District-Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Section 366(A)/34 of the Indian Penal Code.

It is alleged that on 18.05.2016 the niece of the
informant Ankita went to the house of Jitendra Singh for giving
food to his family members after Shradh of her father but when
she did not return, the informant made an inquiry and during
inquiry it was learnt that Jitendra Singh and this petitioner are not
in their house. The informant contacted the petitioner on mobile
phone but his mobile was switched off. The informant suspected
that his niece Ankita aged 13 years has been kidnapped by Jitendra
Singh and this petitioner.

During course of statement under Section 164
Cr.P.C., Ankita has stated her age to be 16 years but the Court has
assessed her age 18 years. She has stated in her statement that this



petitioner has taken her to Gopalganj on a motorcycle and kept her in a hotel there and thereafter forcibly married her and has committed illegal act after lifting her clothes. The petitioner brought her back after 8 days. She was medically examined and the doctor found her age 18-19 years. The doctor has stated in his medical report that there was no evidence of recent sexual intercourse. The doctor has also opined that no spermatozoa was found. In this manner, the victim was major. The statement under Section 164 Cr.P.C. was recorded after 8 days of the occurrence when she returned back to her house. The petitioner is said to be in custody since 27.05.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IV, Saran at Chapra in connection with Dariyapur P.S.Case No. 130 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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