

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14990 of 2018

Arising Out of PS. Case No.-267 Year-2011 Thana- KAHALGAON District- Bhagalpur

Mithun @ Deo Kumar Mandal, S/o Late Sakaldeo Mandal, R/o village-pakkiery, P.S.- Ghogha, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2018 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner is languishing in custody since 23.01.2018, in connection with Kahalgaon (Ghogha) P.S. Case No. 267 of 2011, G.R. No. 1890A/2011 for the offence alleged under Sections 366(A)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that the petitioner along with others have kidnapped his 15 year old daughter Rimjhim Kumari, from the house for the purpose of marriage.

It has been submitted by the learned counsel for the petitioner that he is innocent. There is no criminal history and that the victim girl is not minor but major as assessed by the learned Magistrate under Section 164 Cr.P.C. and she has stated



her age to be 20 years. He submits that both the petitioner and Rimjhim Kumari are now wedded husband and wife and she has stated that she wants to live with the petitioner (her husband). He submits that he is ready to cooperate in the investigation and provide all necessary information and also undertakes to not to tamper with the evidence or prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing 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, Bhagalpur, in connection with Kahalgaon(Ghogha) P.S. Case No. 267 of 2011.

(Nilu Agrawal, J)

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