

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29450 of 2018

Arising Out of PS.Case No. -35 Year- 2017 Thana -NARHAT District- NAWADA

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Vikash Kumar, Son of Arun Rajbanshi, resident of village- Patrali, P.S.
Narhat, District- Nawada. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Sri Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Narhat P.S.
Case No. 35 of 2017 registered for the offence punishable under section
366 (A)/34 of the Indian Penal Code.

The allegation as per written report is that the petitioner
induced the daughter of informant for consensual marriage.

It has been submitted that the petitioner and the daughter
of informant were studying in the same school and they had love
affairs since long. The daughter of informant voluntarily left the place
of her parents and married with the petitioner at Sobhiya Mandir,
Nawada. The petitioner and daughter of informant have sworn an
affidavit stating therein that they are major and married with own
sweet will. A copy of said affidavit has been enclosed with this
application. Further submission is that the allegation of inducement of
the daughter of informant by this petitioner is omnibus. The witnesses



in their statement have stated that the petitioner is younger to the daughter of informant. The victim was reading in Intermediate class, however the petitioner was student of class-X in the same school. They have further stated that the daughter of informant and petitioner had love affairs since long and they had escaped from their houses earlier also. The petitioner is in custody since 23.11.2017 having clean antecedent.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge, Nawada in connection with Narhat P.S. Case No. 35 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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