

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.53738 of 2018**

Arising Out of PS.Case No. -23 Year- 2018 Thana -BANMANKHI District- PURNIA

=====

1. Ram Kumar Mallah @ Rama Kumar Mallah, Son of Sri Jhabaru Mallah,  
Resident of Village- Dhokardhara, P.S.- Banmankhi, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party/s : Smt. Sahin Begam, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      03-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Banmankhi P.S. Case No.  
23 of 2018 instituted for the offence under Sections 363, 366(A)  
and 323/34 of Indian Penal Code.

In the written report it is alleged that petitioner along  
with other accused persons kidnapped minor daughter of the  
informant. It is further alleged that after lapse of three months,  
daughter of the informant came to his house from her *sasural*  
since she was assaulted by the petitioner and other accused  
persons in her *sasural*.

Counsel for the petitioner submits that victim girl has  
already married with this petitioner which would be apparent from  
the written report itself. Counsel for the petitioner further submits  
that from the statement of victim girl recorded under Section 164



Cr. P.C. it would appear that occurrence is alleged to have taken place on 19.6.2017 and the First Information Report has been lodged on 12.02.2018 i.e. after lapse of about eight months. Petitioner is in custody since 22.02.2018.

The statement of victim girl has been recorded under Section 164 Cr. P.C. wherein she has stated that she was taken to the house of sister of the petitioner and kept there for one month. The accused persons prepared one paper with regard to her marriage with the petitioner. She has further stated that accused persons have forcibly taken her signature on the paper.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Chief Judicial Magistrate, Purnea, in connection with Banmankhi P.S. Case No. 23 of 2018, subject to the condition that both the bailors will be close relatives of the petitioner.

**(Sanjay Priya, J)**

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