

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59165 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Chandan Das S/o Sivan Das R/o Village- Madhkaul, P.S. Belsand, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Tariyani Chhapra P.S. Case No. 58 of 2018** registered for the offence punishable under Sections 363 and 366(A) of the Indian Penal Code.

Allegation against the petitioner is of abducting the minor daughter of Informant's Gotani for marriage.

The victim girl was recovered and in her statement under Section 164 of the Cr.P.C as recorded by the court below has not alleged kidnapping or committing rape on her by the petitioner. The victim girl has further stated that petitioner kept her in his house alongwith his family members and he wanted her to marry him but she refused. The victim girl was examined by the Doctor and the Doctor has assessed her age between 16-



18 years. Petitioner has got no criminal antecedent and is in custody since 19.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, Sheohar**, in connection with **Tariyani Chhapra P.S. Case No. 58 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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