

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4596 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Awadhesh Mandal S/o Jattu Mandal, R/o Village- Bari Bharna, P.S.-
Beldour, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Beldaur P.S. Case No. 123 of 2017 dated 24.06.2017 instituted for the offences under Sections 366(A)/34 of the Indian Penal Code.

Though the informant has claimed to have learnt from his co-villagers that petitioner and others had taken away his minor daughter, but the victim, on her recovery has stated her age to be nineteen years and has further stated that she had called the petitioner to come and take her to Delhi for marriage.

Learned counsel for the petitioner has submitted that after marrying with the petitioner, the so called victim girl is staying with him as his legally wedded wife. The prayer for



anticipatory bail before the Court below has been rejected on the ground that in the investigation papers, the date of birth of the victim was found to be 18.03.2002.

However, regard being had to the fact that the victim has disclosed her age to be nineteen years and the marriage having been contracted on the mutual consent, the petitioner, above named is directed to be released on bail, in the event of his surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to his furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, III, Khagaria in connection with Beldaur P.S. Case No. 123 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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