

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50297 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- MAHILA P.S District- West Champaran

Jay Gond @ Jang Gond, Son of Moti Gond, Resident of Village- Shrirampur,
P.S. Gaunaha, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case no. 01 of 2018, registered under Sections
366(A)/34 of the Indian Penal Code.

The accusation is that sister of the informant, aged
about 15 years, had gone to house of her neighbour Baliram
Gond, where petitioner used to reside as relative of Baliram
Gond, but sister of the informant did not return. Later on, he
came to know that under conspiracy of Baliram Gond, Moti
Gond, Indu Devi etc. kidnapped the sister of the informant with
intention to perform marriage.

Learned counsel for the petitioner submits that, in
fact, sister of the informant, who is aged about 18 years left her
house according to her sweet will and performed marriage with
the petitioner before District Marriage Officer, Bettiah



regarding which certificate of marriage has also been issued by Marriage Officer, Bettiah on 16.02.2018, which would appear from Annexure-2. The Aadhar Card of the victim, which is Annexure-3, also disclosed that her date of birth is 01.01.1999. Accordingly, she was aged about 18 years at the time of alleged occurrence. It is also submitted that sister of the informant has also filed an application before SDJM, Bagaha, West Champaran stating the fact regarding performing marriage with the petitioner on 13.06.2018, which would appear from Annexure-4.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M. Bagaha, West Champaran in connection with Mahila P.S. Case No. 01 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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