

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63876 of 2018

Arising Out of PS. Case No.-89 Year-2017 Thana- DUMRA District- Sitamarhi

Nandu Rajak @ Nand Kishore Baitha, Son of Umesh Baitha, R/o Village-
Bangaon Got, P.S.- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-12-2018 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his arrest in connection with Dumra P.S. Case No. 89 of 2017 dated 03.04.2017 instituted for the offences under Sections 363, 366A, 504, 506 and 34 of the Indian Penal Code.

The daughter of the informant has allegedly been taken away by the petitioner to Delhi.

Mr. Ashok Kumar Jha, learned counsel appearing for the petitioner has submitted that the daughter of the informant, who was a student of intermediate, had eloped with the petitioner and now she is leading a married life with the petitioner. In support of the aforesaid statement, learned counsel for the



petitioner has drawn the attention of this Court to Annexure-2 which is an order dated 10.01.2018 passed by a bench of this Court in Cr. Misc. No. 57446 of 2017 in which it has been recorded that the daughter of the informant was present in the court room along with the petitioner while anticipatory bail petition of the parents of the petitioner was being argued.

Taking her statement to be correct that she has married the petitioner, the parents of the petitioner were granted anticipatory bail. Other accused persons have also been granted anticipatory bail in this case (refer to Annexure-3). There is no allegation whatsoever of the daughter of the informant being of minor age. In fact at the time when the petitioner is said to have taken her away, she was a student of intermediate.

Learned counsel for the petitioner has brought on record the marriage certificate issued by the Arya Samaj Marriage Mandal. Learned counsel for the petitioner reiterates that the daughter of the informant is leading a happy married life with the petitioner.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his



furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 89 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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