

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65098 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- JALE District- Darbhanga

Hari Patel, Son of Bishnudeo Patel@ Visuni Ray, Resident of Village-
Manankhedu Tola- Barri, P.S. Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The prosecution case, as per the written report of Nawal Mandal, submitted to the Station House Officer of Jale Police Station is to the effect that on 07.12.2017 at 10.30 A.M. the minor daughter of the informant namely, Munni Kumari aged 15 years had gone to attend coaching classes to Pupri but when she did not return till evening, thereafter search was made by the informant and during search one Kiran Devi told that she saw the victim with Hari Patel, the petitioner and the co-accused Ravi Kumar in Pupri market. On 08.11.2017, when the



informant went to the house of both the accused persons, they were not found present at their respective house and hence, the informant suspected that his daughter has been kidnapped by two accused persons.

It is submitted by learned counsel for the petitioner that in the statement recorded under Section 164 Cr.P.C., the victim has got her age recorded as 17 years, while the Court has assessed her age as 18 years and as per medical opinion, she is aged about 18-19 years. It is further submitted that the victim in her statement recorded under Section 164 Cr.P.C. has stated that she of her own accord has married the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the victim being major, in her statement recorded under Section 164 Cr.P.C. has claimed to have married with the petitioner and has prayed for her release in favour of the petitioner as she wanted to stay with the petitioner and subsequently, she was released by the order of the learned Court below, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Darbhanga in connection with Jale P.S. Case No. 180 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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