

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6555 of 2018

Arising Out of PS.Case No. -231 Year- 2017 Thana -NANHNPUR District- SITAMARHI

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Dilip Sahni S/o Late Bahadur Sahni, R/o Village- Rohua, P.S.- Nanpur,
District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 02-02-2018

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 Laxman Thakur dated 18.07.2017 submitted to the
Station House Officer of Nanpur Police Station is to the effect
that on 10.07.2017 grand daughter of the informant namely, Ful
Kumari, aged about 15 years, went in the company of this
petitioner Dilip Sahni and Most. Tetari Devi to Bhairavsthan
temple on the permission of the informant, but it appears that the
petitioner Dilip Sahni allowed relative Satya Kumar to meet the



grand daughter of the informant. Hence, it was suspected that the petitioner and Satya Kumar took the informant's grand daughter for purpose of marriage. Subsequently, in the statement recorded under Section 164 Cr.P.C. the victim got her age recorded as 18 years, when the Court has assessed her age as 17 years, where the victim claimed that she went to Bhairavsthan temple where petitioner Dilip Sahni forcibly sent her with Satya Kumar, who forcibly married her.

It is submitted by learned counsel for the petitioner that in the FIR it is alleged that this petitioner and Tetari Devi were allowed to take the grand daughter of the informant to the temple when this petitioner forcibly sent the victim with Satya Kumar and Satya Kumar forcibly married with the victim. It is further submitted that subsequently the victim was released in favour of the parents but thereafter she again eloped with Satya Kumar. The mother of the victim has filed an affidavit before the learned Court below that since the victim and Satya Kumar were in love from before, hence, they have married and as such, they are not having any objection for such relationship. The said affidavit has been brought on record as Annexure-3. The mother of the victim has not alleged anything against the petitioner in the affidavit.



Considering the thrust of accusation against Satya Kumar and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 Sub-divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 231 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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