

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48548 of 2018

Arising Out of PS. Case No.-15 Year-2018 Thana- KINJAR District- Jehanabad

1. Gudiya Kumari, D/o Umesh Pandit.
2. Umesh Pandit, son of Krishna Nandan Pandit.
3. Vikash Kumar, son of Rakesh Pandit.
All residents of village Masudpur Bara, P.S. Kinger, District Arwal.
... .. Petitioners.

Versus

1. The State of Bihar.
2. Kanchan Kumari, wife of Vikash Kumar, D/o-Sohrai Yadav, resident of village Akbarpur, P.S. Kinger, District Arwal.
... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha
For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kinjer P.S. Case no. 15 of 2018, registered under Section 366-A/34 of the Indian Penal Code.

Petitioners along with other accused persons are said to have kidnapped the daughter of the informant with intention to perform marriage with her.

Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. The victim Kanchan Kumari happens to be major at the time of occurrence as evident from the matriculation certificate filed in the case as Annexure-2. The victim was in love with the petitioner Vikash



Kumar and she suo motu and out of her sweet will eloped with him and performed marriage with him and both are living in Patna happily as husband and wife. The victim in her statement under Section 164 Cr.P.C. has not supported the aforesaid occurrence of kidnapping against the petitioners.

On the other hand, learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Kinjer P.S. Case No. 15 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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