

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29459 of 2018

Arising Out of PS.Case No. -101 Year- 2018 Thana -LAXMIPUR District- JAMUI

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Anup Kumar, Son of Mahendra Das, Resident of Village- Mananpur
Matia, P.S. Laxmipur, District- Jamui. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar

For the Opposite Party/s : Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner, who is in custody since 01.04.2018, seeks
bail in connection with Laxmipur P.S. Case No. 101 of 2018 registered
for the offences punishable under sections 363 and 364 of the Indian
Penal Code.

As per FIR, allegation is that ten (10) FIR named accused
forcibly entered into the house of informant and kidnapped her
daughter.

Learned counsel for the petitioner submits that the
petitioner and daughter of informant are major and both of them
voluntarily married. The victim-girl was produced before the
Magistrate and her statement was recorded under section 164 of the
Criminal Procedure Code where she has disclosed her age as 18 years.
In her statement, she has also stated that she had love affairs with the



petitioner and she voluntarily left her house, went to Kolkata with the petitioner and married on 22nd March 2018. The daughter of the informant is residing at the house of the petitioner so no case, as alleged, is made out against the petitioner. Further submission is that both the parties have compromised the matter and a copy of compromise petition has been filed which shows that the petitioner and informant signed in the compromise petition.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sri. Lalan Kumar, Additional Chief Judicial Magistrate-III, Jamui in connection with Laxmipur P.S. Case No. 101 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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