

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2256 of 2019

Arising Out of PS. Case No.-108 Year-2017 Thana- GAYA MUFASIL District- Gaya

Abhisekh Kumar @ Chotu Kumar @ Chotu Bhola Mistri Resident of Village-
Gobraha, P.S-Belaganj, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 01-07-2019 The petitioner is personally present in Chambers,
however, the victim girl is not present due to her illness.

Heard learned Counsel for the petitioner, learned
Counsel for the victim girl and learned Additional Public
Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Mufassil Police Station Case No. 108 of 2017, disclosing
offences under Section 366A/34 of the Indian Penal Code.

The allegation against the petitioner is that he
abducted the daughter of the informant, aged about 19 years.

Learned Counsel for the petitioner submits that the
daughter of the informant was recovered and in her statement,
under Section 164 of the Code of Criminal Procedure, 1973, she
has accepted that she has voluntarily gone with the petitioner



and has performed marriage with the petitioner in Pahari Temple, at Allahabad. He further submits that the police, after investigation, has submitted final report, not sending the petitioner for trial. However, the learned Court below has differed with the final report and has taken cognizance against the petitioner.

Learned Counsel for the victim girl submits that the petitioner has performed marriage with the daughter of the informant and he should take responsibility of his wife and should also maintain her.

After having heard learned Counsel for the parties and taking into consideration the statement of the victim girl, under Section 164 of the Code of Criminal Procedure, 1973, this application is allowed.

Accordingly, the provisional bail granted to the petitioner by order, dated 18.01.2019, is hereby confirmed.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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