

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3777 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- BISHANPUR District- Darbhanga

Dilip Sahni @ Dilip Kumar Sahni S/o Baiju Sahni Village- Shivdaspur, P.S.-
Bishanpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das

For the Opposite Party/s : Mr.Nirmala Kumari (App167)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Bishanpur P.S.
case No. 83 of 2018 registered under Section 363, 366A/34 of
the Indian Penal Code.

The informant alleged that her minor daughter
became traceless and during the course of search it transpired
that petitioner with the help of others kidnapped her minor
daughter.

The learned counsel for the petitioner submits that
victim is a major girl. She made her statement under Section
164 of the Cr. P. C. that she, on being assaulted by her mother,
went to the house of her maternal aunt and solemnized marriage
with petitioner in a temple. From the perusal of order of learned
Additional Sessions Judge-I, Darbhanga it appears that he has



taken note of the fact that victim disclosed that she left her house voluntarily and solemnized marriage with the petitioner but the doctor assessed her age between 16-17 years.

Taking into consideration the fact that victim herself denied the factum of her kidnapping and disclosed that she herself solemnized marriage with petitioner in a temple, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VII, Darbhanga in connection with Bishanpur P.S. case No. 83 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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