

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7310 of 2019

Arising Out of PS. Case No.-145 Year-2018 Thana- SONBERSA District- Sitamarhi

Kanhai Singh, aged about 21 years (male), Son of Jai Prakash Singh Resident
of Village - Purnahiya, P.S.- Sahiyara, District- Sitamarhi Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Sonbarsa P.S. Case No. **145 of 2018** registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code.

Allegation against the petitioner is to have kidnapped the minor girl of the informant along with the F.I.R. named accused for the purpose of marriage.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has further been submitted that petitioner along with the victim girl eloped and performed marriage in a temple. The victim girl has been recovered and in her statement recorded under Section 164 Cr.P.C. she has stated that she had voluntarily and willingly



gone with petitioner and she has not been kidnapped and after attaining majority, she will go with the petitioner with whom she has married. Although as per School-Certificate her age is 14 years but medical board has assessed her age as 18-19 years. Petitioner has got no criminal antecedent and is in custody since 28.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No. **145 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of



bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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