

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9992 of 2019

Arising Out of PS. Case No.-530 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

KALAM ANSARI, Son of Kalimuddin Ansari @ Kalimullah Ansari,
Resident of village-Khanpur Kala, Police Station-Thawey, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Gopalganj Town P.S. Case No. 530 of 2018 registered for
the offences punishable under Sections 363, 366(A)/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
although there is a allegation of kidnapping against this
petitioner of the daughter of the informant, but the daughter of
the informant has appeared and made her statement under
Section 164 Cr.P.C. in which she has stated that she has
solemnized marriage with the petitioner. Nothing wrong has
been stated against the petitioner. Learned counsel further



submits that according to Muslim Rites and Customs if a girl has attained puberty and having completed the age of 15 years she is competent to get married without consent of her parents.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances considering the statement of the victim girl under Section 164 Cr.P.C., in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 530 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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