

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16729 of 2019

Arising Out of PS. Case No.-232 Year-2018 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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AVINASH KUMAR, Son of Shatrughan Mandal, Resident of Mohalla-
Katahalbari Darbhanga, P.S.- L.N.M.U. Campus, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siya Ram Shahi

For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 363 and 366(A) of
the Indian Penal Code.

The prosecution case as per the written report of Ramadhar
Mandal being, Railway Guard, submitted before the S.H.O.,
L.N.M.U. Darbhanga P.S. is to the effect that the daughter of the
informant namely, Priyanka Kumari aged about 16 years was
enticed away by the petitioner for the purpose of marriage and



till now, the daughter of the informant had not return.

It is submitted by learned counsel for the petitioner that the daughter of the informant was medically examined wherein doctor found that the age of victim girl as 18-19 years. It is further submitted that the victim girl in her statement recorded under Section 164 of the Cr. P.C. has stated that she on her own went with the petitioner and on 16.10.2018 she performed marriage with the petitioner. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner.

Considering the fact that the age of the victim girl assessed by the doctor as about 18-19 years and the statement of the victim girl recorded under Section 164 of the Cr. P.C. wherein the victim girl has stated that she has performed marriage with the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Darbhanga**, in connection with **L.N.M.U. P.S. Case No.232 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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