

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25139 of 2019

Arising Out of PS. Case No.-53 Year-2016 Thana- KAMTAUL District- Darbhanga

ANIL CHAUPAL S/o Bharoshi Chaupal @ Bharoshi Das R/o village-
Bariaul, P.S.- Kamtaul, District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 26-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Kamtaul P.S. Case No. 53 of 2016 registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

From the impugned order of learned 8th Additional Sessions Judge, Darbhanga itself it appears that the FIR in this case was lodged on 26.03.2016 alleging that the daughter of the informant had fled away with the accused-petitioner for purpose of marriage. Later on the informant came to know that his daughter is living in Delhi with the present petitioner.

It has also come in the impugned order that the victim girl appeared before the learned Magistrate, she disclosed her age as 21 years but learned Magistrate assessed her age as 19



years. The victim girl stated before the learned Magistrate that she had married with this petitioner on her own sweet will and is living with him as husband and wife and is having a male child. It is, thus, apparent from the facts and circumstances that the age of the daughter of the informant has been assessed to be 19 years by the Magistrate, she has married with this petitioner and is living with him, they have also got a child out of the said wedlock.

Let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Kamtaul P.S. Case No. 53 of 2016, be enlarged on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, subject to the condition as laid down under Section 438 (2) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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