

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25686 of 2019

Arising Out of PS. Case No.-495 Year-2017 Thana- SUPAUL District- Supaul

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Anil Gold, aged about 23 years, male, Son of Late Birju Mukhiya, Resident of Village - Basbitti, P.S. and Distt. - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-08-2019 Heard Mr. Arun, learned Advocate for the

petitioner and Mr. Aslam Ansari, learned A.P.P.

The petitioner seeks bail in connection with Supaul P.S. Case No. 495 of 2017, dated 25.08.2017, instituted for the offences under Sections 363 and 366-A of the Indian Penal Code.

The niece of the informant is said to have been kidnapped for immoral purposes by the petitioner.

It has been submitted on behalf of the petitioner that in fact while prosecuting her studies, the niece of the informant had developed some liaison with the petitioner and of their own volition, they performed marriage also. An



affidavit regarding the marriage of the petitioner with the niece (victim) of the informant has been brought on record.

However, looking at 164 Cr.P.C. statement of the victim girl, which though was recorded eight days after the occurrence, it appears that the victim herself declared her age to be fifteen years, whereas the assessment of the Court was that she was seventeen years of age.

Regard being had to the nature of accusation against the petitioner and the period of custody which is from 10.01.2019, I am not inclined to grant the petitioner the privilege of bail for the present.

The prayer for grant of bail of the petitioner is, accordingly, rejected. However, it would be open for the petitioner to approach this Court after a reasonable period of time.

The petition is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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