

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28135 of 2019

Arising Out of PS. Case No.-159 Year-2018 Thana- SIMRI District- Buxar

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PANCHARATAN GOND Son of Ram Bachan Gond Resident of Village -
Barka Sighanpura, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner and, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner has prayed for grant of bail in connection with Simri P.S.Case No.159 of 2018 registered for the offence under Sections 363, 366(a), 120(B) and 504 of the Indian Penal Code.

As per the allegation in the F.I.R. it is alleged by the informant that his daughter Suman Kumari was taken away by the petitioner and others by way of conspiracy. It is further stated that on his approaching the parents of the petitioner, they abused the informant. He was convinced that his daughter aged about 14 years old had been taken away with the intention of marriage.

It is submitted by learned counsel for the petitioner



that the so called victim returned and her statement was recorded under Section 164 of Cr.P.C., a copy of which is brought on record as Annexure-2 to the application. It is further submitted that from perusal of the statement under Section 164 of Cr.P.C. it would transpire that there was no use of force against her and that the victim had married out of her own will. It is further submitted that the petitioner is in custody since 12.03.2019 and has no criminal antecedent.

Counsel for the informant and learned A.P.P. for the State opposed the prayer for bail.

Having heard learned counsel for the parties, taking into consideration the fact that the victim daughter of the informant is said to be 14 years old and going through the contents of the statement made under Section 164 Cr.P.C. wherein the victim has described in detail the acts of the petitioner, the Court is not inclined to enlarge the petitioner on bail.

The application for bail stands rejected.

(Partha Sarthy, J)

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