

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33882 of 2019

Arising Out of PS. Case No.-216 Year-2017 Thana- DUMRAO District- Buxar

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MUKESH KUMAR Son of Paras Rai Resident of Village - Khirauli, P.S.-
Dumaraon, Dist.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Advocate
For the State : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Dumaraon P.S. Case No. 216 of 2017**, instituted for the offence under Section(s) 363, 366A and 34 of the Indian Penal Code.

It is alleged in the written report that sister of the informant namely, Laxmina Kumari had gone for call of nature in the night at 7.15 p.m. and she did not return. The informant learnt that she had been taken by this petitioner to perform marriage.

Counsel for the petitioner submits that victim girl has filed affidavit before the Notary Public on 31.07.2017 stating that she has performed marriage with petitioner on 13.7.2017 according to Hindu custom, copy of which, has been enclosed as Annexure 2 series.

Case diary has been received.

The statement of victim girl recorded under Section 164



Cr. P.C. is available in the case diary wherein she has given different story that she has been kidnapped by the petitioner and his other family members. Petitioner forcibly put vermilion (Sindur) on head and performed marriage with her in the court.

Counsel for the petitioner submits that the instant case has been filed due to family dispute between the parties. The girl is at present living with her parents. The statement of victim girl under Section 164 Cr. P.C. has been recorded under influence of her parents.

Petitioner is in custody since 1.4.2019 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Buxar**, in connection with **Dumaraon P.S. Case No. 216 of 2017**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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