

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40277 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- GOPALGANJ TOWN District- Gopalganj

Ankesh Kumar, Son of Mahajan Sah Resident of Village - Haraiya, P.S.-
Uchkagaon, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-07-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Gopalganj Town P.S.Case No. 42 of 2019 registered under Sections 363 and 366A/34 of the Indian Penal Code.

Allegation against the petitioner is of abducting the minor daughter of the informant with an oblique motive.

Learned counsel for the petitioner submits that petitioner and victim girl were known to each other and there was love affair between them. He submits that the victim girl was recovered and in her statement recorded under Section 164 Cr.P.C., she has specifically stated that she had gone with the petitioner on her free will in order to get married with him and she was not abducted by the petitioner. Learned counsel referred Annexure-3, which is an order passed by the learned CJM,



Gopalganj, in which it has been recorded that Medical Board has assessed the age of the victim girl in between 18 to 19 years and on application filed by the side of in-laws of the victim girl, she has expressed her desire to go to her matrimonial home i.e., the house of the petitioner and not with her parents.

After having heard learned counsel for the parties and upon perusal of material on record, particularly, the statement of the victim girl recorded under Section 164 Cr.P.C., it appears that victim girl had accompanied with the petitioner on her free will and she was not abducted by the petitioner, accordingly, I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Gopalganj P.S.Case No. 42 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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