

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39060 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- SATHI District- West Champaran

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AMIT TIWARI @ AMIT KUMAR TIWARI, aged about 24 years, Male, Son
of Sri Parmeshwar Tiwari Resident of Village- Chhardwali, P.S.- Sathi,
District- West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Ajay Kumar-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Sathi P.S. Case No. 11 of 2019 registered under
Sections 363, 366A/34 of the Indian Penal Code.

The prosecution case in brief is that the informant's
minor daughter went out to ease herself by attending call of
nature but she did not return and in course of search it came to
know that petitioner had taken his daughter with him with an
intention to marry with her.

Learned counsel for the petitioner submits that in her
statement under Section 164 Cr.P.C. the victim girl has stated
that she was not kidnapped, she expressed her desire to live with
this petitioner as both of them have solemnized marriage.



Learned counsel submits that she was medically examined by doctor, her aged was assessed between 19 to 21 years.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case where in her statement under Section 164 Cr.P.C. the victim girl has expressed her desire to live with this petitioner as both of them have solemnized marriage and the doctor has found the age of the victim between 19 to 21 years, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 11 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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