

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45408 of 2019

Arising Out of PS. Case No.-172 Year-2017 Thana- BAIRIYA District- West Champaran

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ARJUN CHAUDHARY S/o Jaishri Chaudhary Resident of Village- Bagahi,
Nimiya Tola, P.S.- Bairiaya, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bairiya P.S. Case No.172 of 2017 registered under Sections
363, 365 and 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of
the informant by the petitioner and three unknown.

Learned counsel for the petitioner submits that, in
fact, the victim, the daughter of the informant, was major and
according to her own sweet will, she left her parental house and
moved with the petitioner to Himanchal Pradesh, where she
performed her marriage with the petitioner. Further submission
is that the victim in her statement recorded under Section 164 of



the Code of Criminal Procedure on 20.09.2017 has also stated the aforesaid fact and at that time, the age of the victim has been assessed as 18 years. While the final form was submitted by the police in this case but the learned court below differing with the final form took the cognizance of the offence against the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Bairiya P.S. Case No.172 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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