

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3664 of 2019**

Arising Out of PS. Case No.-31 Year-2019 Thana- NAVINAGAR District- Aurangabad

PRINCE KUMAR @ PRINCE KUMAR SINGH Son of Nagina Singh
Resident of Village - Kusha, P.S.- Nabinagar, District - Aurangabad

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Neeraj Kumar

For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 04-11-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 09.07.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, Aurangabad in Nabinagar P.S. Case No. 31 of 2019 registered under Section 366(A) of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act.

Appellant is said to have kidnapped the minor daughter of the informant while she had gone to the Punjab National Bank, Nabinagar to withdraw money.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence.



As a matter of fact, victim was in love with the appellant and she suo motu left her marital house along with the appellant and performed marriage with him. Victim in her statement recorded under Section 164 Cr.P.C. has candidly stated that she has suo motu left her house and calling the appellant at the Nabinagar Railway station on phone left with him to Delhi and performed marriage with him in the temple out of her sweet will. She is in love with the appellant. She has denied her kidnapping by the appellant. Doctor after examining the victim has found her age as 17-18 years and as per the aforesaid report victim may be treated as major giving grace of 2 years in her age in favour of appellant. Appellant has no criminal antecedent and has been languishing in custody since 04.02.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, Aurangabad in connection with Nabinagar P.S. Case No. 31 of 2019.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

mantreshwar/-

U		T	
---	--	---	--

