

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55038 of 2019

Arising Out of PS. Case No.-308 Year-2019 Thana- JAYNAGAR District- Madhubani

MD. AHMAD RAJA @ AHMAD RAJA @ JAM JAM SHIVANI Son of Md.
Habibur Rahman Resident of Village - Chhatauni, P.S.- Basopatti, District-
Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Jaynagar Police Station Case No. 308 of 2019, disclosing
offences under Section 366-A of the Indian Penal Code.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner abducted the minor
daughter of the informant for the purpose of marriage.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case
inasmuch as the petitioner and the victim girl were having love
affairs and further the statement of the victim girl has been
recorded under Section 164 of the Code of Criminal Procedure,



in which she has disclosed her age as 19 years and has also stated that she has solemnized marriage with the petitioner on her own free will.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner and the victim girl have already married, as would be evident from the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Sub Divisional Judicial Magistrate, Madhubani, in connection with Jaynagar Police Station Case No. 308 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail



bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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