

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57842 of 2019**

Arising Out of PS. Case No.-377 Year-2019 Thana- BAGHA District- West Champaran

ISHWAR KUMAR Son of Tara Chand Rai Resident of Village-Naraipur, P.S.-
Bagaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 01-10-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Bagaha (Patkhauli) P.S. Case No. 377 of 2019 for the offences
punishable under Sections 366 and 366(A) of the Indian Penal
Code.

The allegation is regarding kidnapping of niece of the
informant for the purposes of marriage with the petitioner
herein.

The learned counsel for the petitioner submits that a
bare perusal of the statement made by the victim girl under
Section 164 Cr. P.C., before the learned Magistrate would show
that she is about 18 years old and she had voluntarily eloped
with the petitioner and was having a love affairs with the



petitioner, hence it is submitted that there is no complicity of the petitioner in the alleged kidnapping of the victim girl inasmuch it was with consent. It is further submitted that the petitioner is having a clean antecedent and is languishing in custody since 09.07.2019.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bagaha, West Champaran in connection with Bagaha (Patkhauli) P.S. Case No. 377 of 2019.

(Mohit Kumar Shah, J)

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