

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68447 of 2019

Arising Out of PS. Case No.-150 Year-2018 Thana- RIGA District- Sitamarhi

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Pintu Kumar @ Pintu Kumar Paswan, Aged about 27 years, Male, Son of Kameshwar Paswan, Resident of Village Sangrampur, P.S. Parsauni, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-11-2019 Heard both sides.

The petitioner apprehends his arrest in Riga P.S. Case No.150 of 2018, registered under Sections 363, 366(A) and 34 of the Indian Penal Code.

The informant, father of the victim, alleged that his daughter went to appear at the examination in the school but she became traceless. The informant in course of search got information that the petitioner with the help of other two boys kidnapped his minor daughter.

Learned counsel for the petitioner submits that the petitioner and the victim were in love with each other and the victim voluntarily left her house and fled away with the petitioner. The victim solemnized marriage in Gauri Shankar



Mandir, Gobindgarh, Ludhiana. She disclosed her age to be 18 years before the learned Sessions Judge, Ludhiana but the victim made her statement under Section 164 Cr.P.C. and she disclosed that while she was coming out of the school after appearing at the examination, the petitioner and others forcibly after intoxicating her kidnapped her on a vehicle. The petitioner forcibly solemnized marriage with her. She did all acts under the fear of her life and the petitioner also forcibly established physical relation with her.

Taking into consideration the facts that the victim is studying in Class X and the victim herself made statement under Section 164 Cr.P.C. disclosing that the petitioner forcibly kidnapped her and also established physical relation with her, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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