

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70800 of 2019

Arising Out of PS. Case No.-223 Year-2019 Thana- HUSSAINGANJ District- Siwan

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Parmatma Sah @ Bholu Sah, aged about 35 years, male, Son of Hareram Sah,
Resident of Village - Gopalpur, P.S. - Hussainganj, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Adv.

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 11-12-2019 The petitioner seeks bail in anticipation of his

arrest in connection with Hussainganj P.S. Case No. 223 of

2019, dated 29.07.2019, instituted for the offences under

Sections 341, 323, 504, 354A, 363 and 366A/34 of the

Indian Penal Code.

The minor daughter of the informant is stated to

have been taken away by deceit by the brother of the

petitioner. When the informant complained about the



aforesaid act of the brother of the petitioner, the petitioner and his parents are said to have ill-treated the informant.

Learned counsel for the petitioner has submitted that accusation by the informant is out of the malice which she has been nurturing because of her daughter having solemnized marriage with the brother of the petitioner. The daughter of the informant, who has claimed that she is seventeen years of age, has given her statement under Section 164 Cr.P.C. stating that because of her liaison with the brother of the petitioner, she has voluntarily married him in a temple and she wishes to stay with him.

Though such statement would not amount to giving an imprimatur on the marriage which is void as admittedly, the victim girl is a minor, but so far as the petitioner is concerned, the only accusation against him is of not having taken the allegation in a serious manner rather misbehaving with the informant.

Considering the background facts and the accusation against the petitioner, he, in the event of his arrest or surrender before the learned Court below within a



period of four weeks, is directed to be released on bail on his
furnishing bail bonds in the sum of Rs. 10,000/- (Rupees
Ten Thousand) with two sureties of the like amount each to
the satisfaction of learned Chief Judicial Magistrate, Siwan in
connection with Hussainganj P.S. Case No. 223 of 2019,
subject to the conditions laid down under Section 438(2) of
the Cr.P.C.

(Ashutosh Kumar, J)

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