

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75944 of 2019

Arising Out of PS. Case No.-4 Year-2019 Thana- KINJAR District- Jehanabad

GAUTAM KUMAR Son of Sindhu Giri Resident of Village - Reganiya Dih,
P.S.- Sigori, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Singh
For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-11-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Kinjar P.S.Case No.4 of 2019 dated 5.1.2019 registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

As per FIR, petitioner and other accused persons enticed the minor daughter of the informant away.

Submission of the learned counsel for the petitioner is that as a matter of fact she is major which will appear from annexure-2, which is School Certificate and she has married with the petitioner on her own sweet-will however, the girl has not been recovered up till now.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, if the petitioner surrenders and pray for regular bail and by that time the girl is recovered, her statement is recorded under Section 164 Cr.P.C., the learned court below while considering the bail application of the petitioner shall also consider statement of the girl recorded under Section 164 Cr.P.C. as well as submission that she is major and she has married with the petitioner and considering the same, the learned court below shall try to dispose of the application of the petitioner if possible on the same day.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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