

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83362 of 2019

Arising Out of PS Case No.-243 Year-2019 Thana- SAUR BAZAR District- Saharsa

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Saurabh Kumar @ Sourav Kumar, aged about 21 years, Son of Late Bagendra Yadav @ Late Bajindra Prasad Yadav Resident of Village - Bhagawatpur Ward No. 10, P.S.- Sourbazar, District – Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-12-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Saurbazar PS Case No. 243 of 2019 dated 19.06.2019 instituted under Sections 363, 366(A), 504, 506 of the Indian Penal Code and 8 of the Protection of Children from Sexual Offences Act, 2012.



3. The allegation against the petitioner and his five other family members is of abducting the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the petitioner and the daughter of the informant are young and had developed close relations due to which the girl herself, after opposing her marriage to an elderly person, had called the petitioner and had gone away with him and they had also married. It was submitted that such statement has been made by the girl herself before the Court under Section 164 of the Code of Criminal Procedure, 1973. Learned counsel submitted that the age of the girl has been found by the Medical Board to be between 15-17 years.

5. Learned APP, in view of the statement of the girl before the Court, was not in a position to controvert the submissions of learned counsel for the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Sahara in Saurbazar PS Case No. 243 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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