

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74898 of 2018

Arising Out of PS. Case No.-271 Year-2018 Thana- CHANPATIA District- West Champaran

Akhilesh Mahto, Son of Anurudh Mahato, Resident of Village-Jaitiya Sahu
Tola, Police Station-Chanpatia, District-West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Sri Anant Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-01-2019 Heard both sides.

Petitioner apprehends his arrest in Chanpatia P.S.
Case No.271 of 2018 registered under Section 366-A of the
Indian Penal Code.

The father of the victim alleged that the petitioner and
others kidnapped his daughter aged about 15 years for the
purpose of marriage.

Learned counsel for the petitioner submits that the
victim made her statement before the Judicial Magistrate under
Section 164 Cr.P.C. and she disclosed her age to be 19 years.
She disclosed in her statement that she voluntarily went with
Akhilesh Mahto about a month ago and solemnized marriage
with him out of her free will.

On the other hand, Mr. Bimlesh Kumar Pandey, the



learned counsel for the informant vehemently opposed the prayer for bail and submitted that the victim is minor. According to her birth certificate, she is about 14 years old but it appears that the victim herself made statement that she voluntarily left along with Akhilesh Mahto and solemnized marriage. The victim did not allege about forceful kidnapping. The victim did not allege of her sexual harassment at the hands of the petitioner.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-Vth, West Champaran at Bettiah in connection with Chanpatia P.S. Case No.271 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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