

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4036 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- DEWARIA District- Muzaffarpur

Sandip Kumar son of Chandra Deo Sah Resident of village- Chiutaha, P.S.-
Paroo, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate
For the Opposite Party/s : Mr.Ramchandra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Deoriya (Deoria) P.S. Case No. 116 of 2018 registered under Sections 363, 366A and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegations as regards kidnapping of the victim girl made by her parents are false inasmuch it will appear from the statement of the victim girl recorded under Section 164 Cr.P.C. that she had accepted her solemnization of marriage with the petitioner out of her free-will. Learned counsel submits that from the impugned order of the learned Sessions Judge, Muzaffarpur it will appear that the victim girl has not made any allegation of kidnapping against the petitioner. It is further submitted that the victim girl disclosed her age about 16 years, however she is a college student. It is apparent from the F.I.R. itself and it is her own statement that she had not been kidnapped by this petitioner.



Learned A.P.P. is present and has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case particularly the stand of the victim girl said to have been recorded under Section 164 Cr.P.C., in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Deoriya (Deoria) P.S. Case No. 116 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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