

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2290 of 2020

Arising Out of PS. Case No.-512 Year-2019 Thana- MUFFASIL District- West Champaran

ANKIT SHARMA Son of Sunil Sharma Resident of Village - Sansaraiya,
P.S.- Bettiah (Mufasil), Distt.- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Bettiah Mufasil P.S. Case No. 512 of 2019, registered for the
offence punishable under Section 366(A) of the Indian Penal
Code.

The allegation is regarding the petitioner having eloped
with the victim girl to Delhi and when her parents and others
had come to the house of the petitioner and had told the victim
girl to return back to her parental home, the petitioner herein
and the victim girl had called the Delhi police and thereafter
both of them were taken into custody by the Delhi police.

The learned counsel for the petitioner has referred to the
statement of the victim girl made under Section 164 Cr.P.C.



from which it is apparent that the victim girl had voluntarily left her house along with the petitioner without any enticement at the behest of the petitioner and, they are stated to have solemnized marriage in a temple in Delhi, however, later on, when the parents of the victim girl had arrived, both the victim girl and the petitioner had called the Delhi police and the petitioner was taken into police custody whereas the victim girl was sent to the Delhi police mahila remand home. The submission of the learned counsel for the petitioner is that the entire events would show that there is no enticement on the part of the petitioner, hence, even if, the petitioner is treated to be a minor, no offence, as alleged, is made out. Lastly, it is submitted that the petitioner has already been suitably punished inasmuch as he is languishing in custody since 19.9.2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the period of incarceration of the petitioner herein as well as the statement made by the victim girl under Section 164 Cr.P.C., I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees



ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Muffasil P.S. Case No. 512 of 2019.

(Mohit Kumar Shah, J)

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