

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16276 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- CHHATAPUR District- Supaul

Om Prakash Kumar @ Ramprakash Kumar, aged about 18 years, Son of Deep Narayan Yadav, Resident of Tikuliya, P.S.- Kumarkhand, Distt - Madhepura.
... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bam Bahadur Jha
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-06-2020 Heard Mr. Bam Bahadur Jha, the learned counsel for the petitioner and Mr. Ajit Kumar, the learned Additional P.P. for the State through video conferencing.

The petitioner seeks bail in Chhatapur P.S. Case No.29 of 2019, registered under Sections 363, 366(A) and 34 of the Indian Penal Code.

The informant alleged that the petitioner and other accused persons kidnapped his daughter for the purpose of marriage.

Learned counsel for the petitioner submits that the victim, daughter of the informant, is an adult girl. She voluntarily solemnized marriage with the petitioner and she has also sworn affidavit but when the victim was released, she went to her house and made statement that the petitioner forcibly married with her. It is submitted that the petitioner moved all alone to different places



along with the victim girl but she never raised any hue and cry.
The petitioner is in jail since 18.12.2019.

Mr. Ajit Kumar, the learned Additional P.P. opposed the
prayer for bail.

It appears that the informant named many persons
including the petitioner and alleged that they all kidnapped the
daughter of the informant but from perusal of the affidavit and the
statement made by the victim under Section 164 Cr.P.C., it appears
that the victim herself voluntarily left and went along with the
petitioner. The victim and her statement recorded under Section
164 Cr.P.C. disclosed that the petitioner forcibly got her seated in a
four wheeler vehicle and she became unconscious. She did not
identify any person who kidnapped her.

Taking into consideration the facts aforesaid, the
petitioner, above named, is directed to 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
C.J.M., Supaul in connection with Chhatapur P.S. Case No.29 of
2019.

(Prabhat Kumar Jha, J)

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