

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26881 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- BAHERI District- Darbhanga

Chandan Sahu aged about 20 years [male] s/o- Dinesh Sahu @ Dinesh Sah
Residence of Vill - Banduhli, P.S - Baheri Distt - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratibha Kumari aged about 18 years [Female] W/O Chandan Sahu D/o-
Shiv Narayan Mandal R/O -Vill - Banduhli, P.S - Baheri Distt - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 10-12-2020 Heard Mr. Kedar Jha, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned counsel appearing
for the State through video conferencing.

Petitioner seeks regular bail in connection with Baheri
P.S. Case No. 47 of 2020 registered for the offence under
Sections 365 / 366 (A) / 34 of the I.P.C.

The allegation as per the First Information Report is
that the petitioner abducted the minor daughter of the informant
for the purpose of marriage.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and there was love affair between the victim girl and the



petitioner. Referring to the statement of the victim girl recorded under Section 164 of the Cr.P.C. learned counsel further submits that the victim girl in her statement has categorically stated that she had gone with the petitioner on her own free will and has performed marriage with him in temple at Darbhanga. Learned counsel further submits that petitioner is in custody since 20.02.2020.

On the other hand, learned counsel for the State referring to the case diary submits that though the victim girl has not stated anything against the petitioner in her statement recorded under Section 164 of the Cr.P.C. but the victim is minor and charge sheet has already been submitted against the petitioner under Section 366A of the I.P.C. and under the Child Marriage Act.

Having regard to the submissions made by the parties and taking into consideration the materials available on record , the fact that the victim girl has not stated anything against the petitioner in her statement recorded under Section 164 of the Cr.P.C. and the petitioner is in custody since 20.02.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate IX, Darbhanga / court concerned in connection with Baheri P.S. Case No. 47 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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