

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58335 of 2019

Arising Out of PS. Case No.-124 Year-2019 Thana- MITHANPURA District- Muzaffarpur

SAMAR KUMAR @ GOLU Son of Binay Kumar Shrivastava Resident of
New Colony, Dak Bungalow Road, Bettiah, P.S.-Bettiah Town, District-West
Champaran at Bettiah.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar,
For the Opposite Party/s : Mr. Mithlesh Kumar Khare

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

5 22-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Mithanpura P.S. Case No. 124 of 2019, registered under
Section 366(A)/34 of the Indian Penal Code.

The accusation is of enticing away of the grand-
daughter of the informant by Samar Kumar @ golu
(Petitioner) with the help of his friend Md. Rehan.

Learned counsel for the petitioner submits that, in
fact, due to love affairs grand-daughter of the informant left
her parental house and moved with the petitioner at
Chandigarh, where both performed marriage in temple and
after staying there, petitioner and grand-daughter of informant
returned to their houses. Further submission is that the



statement of grand-daughter of informant has been recorded under Section 164 Cr.P.C. in which she has stated about moving on call of the petitioner and going to the Chandigarh and performing of marriage, but in the pressure of her parents she stated that the petitioner forcibly established physical relation with her. At the time of occurrence, the age of the victim was more than 18 years, which would appear from the Birth Certificate issued by the Department of Health Services, Government of Assam on 07.02.2015 (Annexure-3) to the supplementary affidavit. The petitioner is in custody since 21.06.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, East Muzaffarpur in connection with Mithanpura P.S. Case No. 124 of 2019.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

