

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84214 of 2019**

Arising Out of PS. Case No.-433 Year-2019 Thana- BANKA District- Banka

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SINTU KUMAR @ SITENDRA YADAV @ SINTU YADAV @ SITENDRA
Son of O. P. Yadav @ Upendra Yadav Resident of Village - Meharpur, P.S.-
Banka, District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar
For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-03-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Banka P.S. Case No. 433 of 2019, registered for the offence
punishable under Sections 366(A)/34 of the Indian Penal Code.

The allegation is regarding the accused persons
having kidnapped the minor daughter of the informant.

The learned counsel for the petitioner, referring to the
statement made by the victim girl under Section 164 Cr.P.C.
before the learned Magistrate, has submitted that the victim girl
has disclosed her age to be 18 years and moreover, she has
stated that she had voluntarily eloped with the petitioner and



thereafter, she has solemnized marriage and is also staying with him in his house. It is further submitted that a bare perusal of the medical report, reproduced in the case diary, would show that no sign of any untoward incident or any sign of forcible sexual harassment or any sort of injury has been found on the person of the victim girl. It is further submitted that since both the victim girl and the petitioner had been living peacefully as husband and wife, this Court may consider the case of the petitioner for grant of regular bail, leniently, especially taking into account the fact that the victim girl has disclosed her age before the learned Magistrate to be 18 years. It is further submitted that the petitioner is languishing in custody since 20.7.2019.

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 materials available in the case diary, as pointed out and perused by this Court as well as discussed hereinabove, 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, Banka in
connection with Banka P.S.Case No. 433 of 2019.

(Mohit Kumar Shah, J)

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