

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.783 of 2020

Arising Out of PS. Case No.-255 Year-2018 Thana- TAJPUR District- Samastipur

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SANJAY KUMAR RAM Son of Sri Shiblal Ram @ Shiv Lal Ram Resident
of Village - Nikaspur, P.S.- Tajpur, District - Samastipur.

... .. Petitioner.

Versus

1. The State of Bihar.
2. Kanchan Kumari Daughter of Late Naresh Sharma Resident of Village -
Nikaspur, P.S.- Tajpur, District - Samastipur.

... .. Opposite Parties.

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Appearance :

For the Petitioner	:	Mr. Jainandra Kumar, Advocate.
For the State	:	Mr. Shailendra Kumar Singh, A.P.P.

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

ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

opposite party no.2.

The petitioner seeks bail in connection with Tajpur
P.S. Case No.255 of 2018, arising out of Complaint Case
No.1126 of 2018/G.R. No.1779 of 2018, registered under
Sections 120(B), 356, 366, 366(A), 384, 386, 323, 504 and
506/34 of the Indian Penal Code.

The accusation is that the opposite party no.2, who is
the student of 12th class, had gone in the field for plugging the
Moong crop. At that time, the petitioner reached there and
offered her the sweet showing his happiness about his passing in



the Intermediate Examination. On taking the sweet, the opposite party no.2 became unconscious and when she regained her consciousness, she found herself in a room of Ajay Kumar Ram, the brother of the petitioner, at Shilpara, Kolkata, where Vijay Kumar Ram, Aunanya Devi and Soni Kumari were also present. Under conspiracy, all tried to convince the opposite party no.2 to perform the marriage with the petitioner. Ultimately, opposite party no.2 was taken by the petitioner near the Peepal tree at Sajirhat Railway Station, where the petitioner put vermilion on her head and also obtained the photograph and also got her thumb impression and signature on a blank paper. Since the petitioner was also absent from the date of the occurrence from his house due to that reason, the parents of the opposite party no.2 came at Kolkata and, any how, the opposite party no.2 was taken from there by them. The opposite party no.2 went to the police station to lodge the case but the case was not lodged, due to that reason, the opposite party no.2 lodged Complaint Case No.1126 of 2018, which was sent under Section 156(3) of the Code of Criminal Procedure to the concerned police station for investigation and institution of the case and, accordingly, the present case was lodged.

Learned counsel appearing on behalf of the petitioner



submits that, in fact, due to love affair, the opposite party no.2 left her house with the petitioner and performed the marriage at Kolkata but after giving the pressure by her parents, the opposite party no.2 lodged the aforesaid complaint case on the basis of which the present F.I.R. was lodged. The petitioner is in custody since 13.11.2019.

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 Additional Chief Judicial Magistrate-I, Samastipur, in connection with Tajpur P.S. Case No.255 of 2018, arising out of Complaint Case No.1126 of 2018/G.R. No.1779 of 2018.

(Rajendra Kumar Mishra, J)

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