

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87064 of 2019**

Arising Out of PS. Case No.-135 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Vishal Kumar Son of Fagu Thakur Resident of Village-Rajokhar Nawada, P.S.
and District-Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr Ram Priya Sharan Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Gopalganj P.S. Case No. 135 of 2019 registered for the offences

punishable under Sections 363, 366A/34 of the Indian Penal

Code.

The accusation against the petitioner is that he took the

informant's daughter for the purpose of marriage. However, the

impugned order goes to show that victim was recovered and her

statement under Section 164 of the Cr.P.C. was recorded.

Furthermore, the impugned order goes to show that the victim

accepted the factum of marriage.

Learned counsel appearing for the petitioner submits



that petitioner and victim both are major and as a matter of fact, they have solemnized their marriage by their own sweet will but the learned court below rejected the bail prayer of the petitioner only on the ground that birth certificate of victim shows her minor.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in Gopalganj P.S. Case No. 135 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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