

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.15451 of 2021**

Arising Out of PS. Case No.-166 Year-2019 Thana- CHIRAIYA District- East Champaran

ARJUN SAH SON OF KARAN SAH Resident of Village - Belhi, P.S.-  
Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma  
For the Opposite Party/s : Mr.Uday Chandra Pd, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      02-07-2021                      This matter is taken up for consideration through  
Video Conferencing under the orders of Hon'ble the Chief  
Justice.

Heard learned counsel for the petitioner and learned  
A.P.P for the State.

The petitioner seeks bail in Chiraiya P.S. Case No.  
166 of 2019, registered for the offence punishable under  
Sections 363, 366A, 34 of the Indian Penal Code.

As per the FIR, this petitioner is alleged to have  
kidnapped the minor daughter of informant.

It is submitted on behalf of the petitioner that  
petitioner has falsely been implicated. In fact, there is love affair  
between the petitioner and the victim girl. The victim girl in her  
statement recorded under Section 164 Cr.P.C has clearly stated



that she voluntarily left her house and went along with this petitioner and also solemnized marriage. She has stated her age 20 years in her statement. Medical Board has assessed her age between 16 to 17 years. Petitioner is in custody since 04.11.2020 having no criminal antecedent as stated in para 3 of the petition.

Learned APP however, vehemently opposed the prayer for bail and submitted that victim is minor and her consent is immaterial. As per the medical board she is only 16 to 17 years and as per her academic certificate her Date of Birth is 12.04.2003.

Considering the fact that victim girl is minor and her consent is immaterial, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

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