

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30475 of 2021

Arising Out of PS. Case No.-220 Year-2020 Thana- LODIPUR District- Bhagalpur

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NIRANJAN KUMAR MAHALDAR @ NIRANJAN KUMAR @
NIRANJAN KUMAR MSHALADAR @ NIRANJAN KUMAR
NAHALDAR Son of Jugal Mahaldar Resident of Village- Bishanpur, Jichho,
P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul, Adv.
Mr. Rajeev Shekhar, Adv.
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-12-2021 Heard Mr. Ansul, learned counsel for the petitioner
and Mr. Md. Shakir Ahmad, Additional Public Prosecutor for
the State.

Petitioner seeks regular bail in connection with
Lodipur PS Case No. 220/2020 registered for the offence
punishable under Sections 363/366(A)/34 of the IPC.

The allegation, as per First Information Report, is that
the petitioner abducted the minor daughter of the informant for
the purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and has falsely been implicated in this case with oblique motive



inasmuch as there was love affair between the petitioner and the victim girl who is a major. Learned counsel further submits that the statement of the victim girl has been recorded under Section 164 CrPC in which, she has categorically stated that she has performed marriage with the petitioner out of her own free will, love and affection.

Learned counsel next submits that the victim girl has also disclosed her age as 18 years before the Magistrate. Learned counsel further submits that the petitioner is in custody since 03.12.2020 having no criminal antecedents.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is in custody since 03.12.2020 having no criminal antecedents, the statement of the victim girl in which, she has categorically stated that she has performed marriage with the petitioner out of own free will, love and affection, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, NIRANJAN KUMAR MAHALDAR @ NIRANJAN KUMAR @ NIRANJAN KUMAR MSHALADAR @ NIRANJAN KUMAR NAHALDAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Chief Judicial
Magistrate-IX, Bhagalpur in connection with Lodipur PS Case
No. 220/2020.

(Anil Kumar Sinha, J)

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