

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1829 of 2021**

Arising Out of PS. Case No.-456 Year-2019 Thana- DHAKA District- East Champaran

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Sujeet Kumar, Son of Lalbabu Ram, Resident of Village- Chandra Dhaka,  
P.S.- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr. Dhannjay Kumar No. 2, Adv. |
| For the Informant    | : | Mr. Rajan, Adv.                |
| For the State        | : | Mr. APP                        |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

3      29-07-2021                      Heard Mr. Dhannjay Kumar No. 2, the learned Advocate for the petitioner and Mr. Rajan, the learned counsel for the informant. The State is represented by the learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Dhaka P.S. Case No. 456 of 2019, instituted for the offences under Sections 363, 366(A) and 120(B)/34 of the Indian Penal Code.



The accusation against the petitioner and his family members is of having abducted the minor daughter of the informant for the purposes of marriage.

The learned counsel for the petitioner has submitted that the victim is a major and had left her parental home of her own volition. Even in her statement under Section 164 Cr.P.C., she has not said anything about any sexual misdemeanour against her. It has further been submitted that merely because the parents of the victim girl are not agreeable for her marriage with the petitioner, this false case has been instituted.

As opposed to the aforesaid contention, the learned counsel for the informant has submitted that the statement of the victim girl under Section 164 Cr.P.C. clearly reveals that the victim was pressurized into marrying the petitioner. This act was not voluntary.

In response to the aforesaid statement, the learned counsel for the petitioner has informed this Court that the victim girl is now married to someone else. Taking this case any further, it has been argued, would endanger her marital



life.

The learned counsel for the informant however has submitted but without any corresponding evidence that the informant is being pressurized for settling the case with him.

Be that as it may, assuming but not admitting that the victim was a major at the time of the occurrence, but in view of the statement made under Section 164 Cr.P.C., I am not inclined to grant anticipatory bail to the petitioner, notwithstanding the fact that there is an informatory petition of the victim girl from before, apprehending serious accusation from the side of her parents and that some of the other accused persons of this case have been granted bail.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below, after taking into account all such ground which have been raised in the application and discussed above in correct perspective, shall pass orders in accordance with law without being prejudiced by the fact that the present anticipatory bail application has



not been entertained by this Court.

The application stands dismissed.

**(Ashutosh Kumar, J)**

Praveen-II/-

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