

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31413 of 2021

Arising Out of PS. Case No.-281 Year-2020 Thana- BAKHTIARPUR District- Saharsa

RABI KUMAR AMAN @ RAVI KUMAR AMAN Son of Pradeep Bhagat
Resident of Simribakhtiyarpur, Post Office Gali, P.S.- Simri Bakhtiyarpur,
District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh
For the Opposite Party/s : Mr. Binod Kumar III
Mr. Pawan Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 09-05-2022 Heard the parties.

Petitioner seeks regular bail in connection with
Bakhtiyarpur PS Case No. 281 of 2020 registered under Sections
363 , 366 -A/ 34 of the I.P.C.

The allegation as per the First Information Report is
that petitioner / Rabi Kumar Aman @ Ravi Kumar Aman
forcibly kidnapped / abducted the minor daughter of the
informant for the purpose of marriage.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and there was love affair between the petitioner and the victim
girl . He next submits that petitioner is ready and willing to
marry the victim girl. At present the victim girl is residing in the



house of the petitioner along with his mother. Referring to the supplementary affidavit learned counsel submits that deposition of the victim girl was recorded during the course of trial in which she has not supported the prosecution case and has been declared hostile by the prosecution. The victim girl was aged about 17 years old at the time of her alleged kidnapping and was mentally mature to discriminate between the right and wrong.

On the other hand, learned counsel for the informant submits that the only anxiety of the informant is that since now the victim girl is residing in the house of the petitioner along with his mother as such at least after release on bail the petitioner should perform marriage with the victim girl.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the nature of allegation and the fact that the victim girl is residing in the house of the petitioner along with his mother and she has stated in her deposition that she was not forcibly abducted, the petitioner is in custody since 28/08/2020 and charge sheet has already been submitted, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on



regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate at Saharsa in connection with Bakhtiarpur PS Case No. 281 of 2020.

(Anil Kumar Sinha, J)

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