

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50864 of 2021

Arising Out of PS. Case No.-280 Year-2021 Thana- DIGHA District- Patna

=====

Amarjeet Kumar @ Bhola S/O Prem Vishwakarma @ Pream Vishkrma R/O
Village-Mahadevpur, P.S.- Tarari, District-Bhojpur, At Present Residing-
Dharhara, Shanti Nagar, P.S-Paliganj, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Meena Singh

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Digha P.S. Case No. 280 of 2021 registered for the alleged offences under Section 366A of the Indian Penal Code.

The prosecution case is that minor daughter of informant had gone to market for buying book but she did not return. The informant showed his apprehension that she might have been taken away for the purpose of marriage on some inducement. Later on the name of the petitioner surfaced as accused who took away the daughter of the informant.



Learned counsel for the petitioner submits that the petitioner is not named in the FIR and the daughter of the informant and the petitioner came in contact through “Instagram”. The daughter of the informant put pressure on the petitioner to solemnize marriage and they eloped and solemnized marriage on 09.06.2021 and an affidavit was sworn to this effect. Even in her statement under Section 164 of the Cr.P.C., she has stated that she solemnized marriage with the petitioner on 26.05.2021. The daughter of informant even refused to undergo medical check up. Charge sheet has been submitted in this case and the petitioner is in custody since 19.06.2021.

Learned APP for the State opposes the prayer for bail of the petitioner submitting that it is clear from the statement recorded under Section 164 of the Cr.P.C. that the petitioner pressurized the victim girl and threatened her to marry him.

Perused the records.

Having regard to the submissions made hereinabove and considering the fact that the victim girl is aged about 18 years and it further transpires from her statements that there is some volition on her part in leaving her house and solemnizing marriage and also taking into consideration the period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand)



with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Digha P.S. Case No. 280 of 2021, subject to the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) The petitioner will not in any way contact either the victim or any of the witnesses and will not try to influence the trial.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/-

U		T	
---	--	---	--

