

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62663 of 2021

Arising Out of PS. Case No.-553 Year-2021 Thana- GARKHA District- Saran

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Mantu Thakur S/O Chandra Shekhar Thakur R/O Village- Mahamada, P.S.-
Garkha, District- Saran At Chapra ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-02-2022 Heard learned counsel for the petitioner and the State.
The petitioner seeks regular bail in registered for the
offences punishable under sections 366A/34 of the Indian Penal
Code.

As per the prosecution case, this petitioner kidnapped
minor daughter of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The victim in her 164 Cr.PC statement has stated that out
of her free will she had gone to Bengal with the petitioner and
this petitioner has not committed any illegal offence with her.
Petitioner is student and he has got clean antecedent as stated in
paragraph 3 of the bail petition. Petitioner is in custody since
13.8.2021.

Learned counsel for the State opposes the prayer for
bail and submits that there is direct and specific allegation
against the petitioner that he kidnapped minor daughter of the
informant for the purpose of marriage. Further, victim in her
section 164 Cr.P.C. statement has disclosed that she is aged
about 15 years and thus consent of a minor is immaterial.



Considering the nature of accusation against the petitioner and the gravity of offence, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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