

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27640 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- MALSALAMI District- Patna

Chandan Kumar S/o Awadhesh Das Resident of Mohalla - Kachchi Dargah,
Pani Tanki, Alampur, P.S. - Nadi, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha
For the Opposite Party/s : Mr. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 363 and 366 of the Indian Penal Code.

As per allegation in the FIR, minor daughter of the
informant aged about 15 years went out to market for
purchasing cloth but she did not return till late. A search was
made by the family members and during search, they got
information that petitioner has abducted her for the purpose of
marriage.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. There is love affair between the petitioner and daughter



of the informant. Petitioner has solemnized marriage with the victim with her consent, who is 19 years old in temple and marriage affidavits are annexed as Annexure-3 and 3/A. Informant was dead against the said marriage and he forcefully brought her daughter to her parental home. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has not made any specific allegation of physical misbehavior against the petitioner. Petitioner has got no criminal antecedent and languishing in judicial custody since 24.09.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Patna City in connection with Malsalami P.S. Case No. 283 of 2022.

(Sunil Kumar Panwar, J)

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