

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63781 of 2023

Arising Out of PS. Case No.-516 Year-2023 Thana- SUPAUL District- Supaul

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HEMANT KUMAR @ HEMANT SAH Son of Sikendra Sah R/o vill - Bela,
P.S. and Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Arun, Advocate
		Ms. Kanika, Advocate
For the Opposite Party/s :		Mr.Ram Anurag Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-10-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Supaul (Laukaha) PS Case No. 516 / 2023 dated 25-06-2023 registered under Section 366 (A) of the I.P.C.

3. As per the first information report the petitioner has allegedly abducted the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case by the parents of the victim girl inasmuch as there was love affair between the petitioner and the victim girl. Referring to the impugned order, learned counsel submits that the statement



of victim girl was recorded under Sections 161 & 164 Cr.P.C. in which she has categorically stated that she had love relationship with the petitioner and she was not abducted by him, rather she voluntarily eloped with the petitioner and has solemnized marriage. The age of the victim has been assessed as 19-21 years in the medical examination.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that the victim was 17 years of age and was minor at the time of occurrence and she had sexually been abused also by the petitioner.

6. Regard being had to the submissions made by the parties, taking into consideration the statement of the victim girl recorded under Sections 161 & 164 Cr.P.C. and medical report in which the age of the victim girl has been assessed in between 19-21 years, I am inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today



on furnishing bail bond of Rs. 10000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Supaul in connection with Supaul P.S. Case No. 516 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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