

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75266 of 2022

Arising Out of PS. Case No.-108 Year-2022 Thana- SALIMPUR District- Patna

Hare Ram Mahto S/O Dinanath Mahto Resident Of Village- Kirari, P.S.-
Dherni, District- Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rudal Singh, Advocate Mr. Pramod Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-03-2023 Heard Mr. Rudal Singh, learned Counsel

appearing on behalf of the petitioner and Mr. Sanjay Kumar

Tiwary, learned A.P.P. appearing on behalf of the State.

2. Petitioners who are in custody since 13.09.2022

seeks regular bail in connection with Salimpur P.S. Case

No. 108 of 2022 registered for offence punishable under

Sections 366(A)/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that petitioner

has kidnapped the minor daughter of the informant.

4. Learned Counsel appearing on behalf of the

petitioner submitted that victim had eloped with the

petitioner and thereafter they had solemnized their marriage



in a temple. The victim has been ascertained to be major and such marriage is valid in the eye of law.

5. Considering the nature of allegation made in the F.I.R. and the statement of the victim under Section 164 of the Cr.P.C. in which she has specifically stated that she has eloped with the petitioner on her own free will. She has been determined to be major and after getting married the petitioner and victim are living happily.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail.

7. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Barh in connection with Salimpur P.S Case No. 108 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and



shall be properly represented on each and every date fixed
by the court.

(3) If the petitioners tamper with the evidence or
the witnesses of the case, in that case, prosecution will be at
liberty to move for cancellation of bail of the petitioners.

(Purnendu Singh, J)

Manish/-
Nilmani/-

U			
---	--	--	--

