

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3586 of 2023

Arising Out of PS. Case No.-309 Year-2021 Thana- RIVILGANJ District- Saran

NARAYAN SAH @ SONU SON OF BAIJNATH SAH R/O VILL.-
SHAMSUDDINPUR, NEAR P.S.- RIVILGANJ, DISTT.- SARAN AT
CHHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 27-08-2024 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 363 and 366 (A) of the
Indian Penal Code .

3. As per the prosecution case, this petitioner
kidnapped the minor sister of informant with intention to marry
her.

4. Learned counsel for the petitioner submits that the
victim, in her statement recorded under Section 164 Cr P.C., has
stated that she on her own sweet will, had gone with this
petitioner and solemnized marriage with him and spent eight
months together as husband and wife. Victim is major and in



support of his submission, he has annexed the PAN card and Aadhar card of the victim, which shows the age of the victim is 22 years, and at the time of occurrence she was aged about 19 years old. He further submits that the victim has already solemnized marriage with someone else. Petitioner claims clean antecedent.

5. Learned counsel for the State opposed the bail petition of the petitioner and submits that at the time of occurrence the age of the victim was 17 years old and victim in her statement recorded under Section 164 Cr P C has supported the prosecution case and stated that one month prior to the occurrence, she had come at the house of her married sister where taking the children of her sister had gone at the bank of river for walking where the petitioner came and gave sweets to the children and also to her. After eating sweet she became unconscious and then she found herself at Varanasi. She even tried to escape from there but could not succeed. After that petitioner left her at the house of victim but petitioner came to know that the marriage of the victim was settled with someone else, this petitioner made the photographs of his marriage with victim viral and also threatened with dire consequences.

6. Considering the fact that statement of victim u/s



164 Cr. P C and the fact that victim has already solemnized marriage with someone else and at the time of occurrence victim was major and bears clean antecedent, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM First Class, Saran in connection with Rivilganj P.S. case No. 309 of 2021 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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