

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56377 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- AAJAM NAGAR District- Katihar

Narayan Mandal Son of Manoj Mandal R/O Hasopara, P.s.- Azamnagar, Dist.-
Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-10-2024 Heard the parties.

2. The petitioner seeks bail in connection with
Azamnagar P.S. Case No. 126 of 2024 registered for
the offence under Sections 366(A)/34 of the I.P.C.

3. The petitioner is named in the F.I.R. and is
in custody since 03.04.2024.

4. The allegation against the petitioner is to
kidnap the minor daughter of the informant aged about
13 years for the purpose of illicit intercourse/marriage.

5. Learned counsel appearing on behalf of the
petitioner submitted that as the love affairs of petitioner
with victim was not approved by her parents, the present



false case was lodged. In this context learned counsel pointed the statement of victim as recorded under section 161 of the Cr.P.C., where she categorically stated about her love affairs with petitioner and also stated that she solemnized her marriage with petitioner out of her own sweet will in *Hanuman* temple. It is submitted that the statement of victim made under section 164 of the Cr.P.C. appears improved and tutored under influence of her parents as she was with them before recording her statement under section 164 of the Cr.P.C. While concluding the argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that the victim was minor at the time of occurrence but he could not be dispute the statement of



victim as available under section 161 of the Cr.P.C.

7. In view of aforesaid facts and circumstances and by taking note of contradictory statement of victim as available under section 161 of the Cr.P.C. qua crime in question., coupled with fact that investigation of this case is already completed, where petitioner is in custody since 03.04.2024, accordingly petitioner above named, is directed to be released on bail in connection with Azamnagar P.S. Case No. 126 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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