

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70246 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- BARH District- Patna

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Ankit Kumar @ Pritesh Kumar Ankit S/o Bablu Singh R/o Village- Laxmipur
Lohchi, P.S.- Sampur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 03-10-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Barh P.S. Case No. 380 of 2024 registered for the offences punishable under Sections 363, 366(A), 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is of enticing away the minor daughter of the informant for the purposes of marriage and later on giving threatening to the informant and other family members.

4. Learned Advocate for the petitioner contended that the narrations made in the FIR clearly depict that both the petitioner and the victim girl had been in love and it is the victim girl, who voluntarily left her maternal home and later on



solemnised marriage with the petitioner after consent of her grandmother. It is further contended that in fact the victim girl is major, aged about 18 years but because of wrong entry in her academic record, she has been shown to be minor. It is next contended that the victim girl and the boy themselves appeared before the police and the statement of the victim was recorded under Section 161 as well as Section 164 of Cr.P.C., wherein she has not whispered that the petitioner had used any force in enticing away or committed any wrongful act. The petitioner is in tender age and now he has been incarcerated since 12.07.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the victim girl is minor and as such her consent has no meaning in the eyes of law.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the victim recorded under Section 164 of Cr.P.C. as has been discussed in the impugned order, coupled with the tender age of the petitioner and the fact that the investigation of the crime is complete and the charge sheet has been submitted, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned ACJM-1, Barh, Patna in connection with Barh P.S. Case No. 380 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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