

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85112 of 2023**

Arising Out of PS. Case No.-186 Year-2023 Thana- CHAKAI District- Jamui

Ajit Kumar Sah SON OF CHANO SAH GOLA CHAKAI, P.S.- CHAKAI,
DIST.- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 02-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Chakai P.S. Case No. 186 of 2023 for the offences
punishable under Sections 363, 366(A)/34 of the Indian Penal
Code.

3. As per allegation, the petitioner and co-accused
persons kidnapped the minor daughter of the informant with
intention to marry.

4. From perusal of the statement of the victim
recorded under Section 164 of the CrPC, It appears that she had
love and affection with the petitioner and she with her own
sweet well went with the petitioner. She has specifically stated



that they solemnized marriage in Mumbai but retracting from earlier version in the bottom of the statement, she has stated that the petitioner forcibly took her to Mumbai.

5. Learned counsel for the petitioner has submitted that the victim again eloped with another boy.

6. On the other hand, the learned counsel for the informant and the learned APP for the State have submitted that as per statement of the victim under Section 164 of the CrPC, it transpires that the petitioner has kidnapped the victim.

7. The age of the victim is 17 years, which shows that she is at the verge of majority.

8. Considering the above-mentioned facts and circumstances, especially the fact that the victim went with the petitioner as per her own sweet will and in the statement under Section 164 of the CrPC, she has stated that she has solemnized marriage with the petitioner, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist, Jamui-cum-Special Judge POCSO & SC/ST P.O.A Act Jamui in connection with Chakai P.S. Case No. 186 of 2023, subject to the following conditions:-



(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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