

**In the Court of Ist Additional Sessions Judge
East Champaran, Motihari**

S. Trial 127/19

Chakiya PS Case No. 256 of 2018

u/ss 363, 366 (A) IPC

Awadhesh Kumar

Vs.

State of Bihar

14.03.2019: The accused Awadhesh Kumar is produced from custody.

Five photographs and CD is filed with list of documents on behalf of the accused.

Ld. Laywer for the accused petitioner Awadhesh Kumar appears and moves the bail petition dated 05.03.2019 filed on behalf of the petitioner Awadhesh Kumar, who is in custody since 25.11.2018 in connection with Chakiya PS Case No. 256/18 registered u/s 363, 366 (A) IPC.

It is submitted on behalf of the petitioner that proseution story is totally false and concocted and the truth is otherwise it is further submitted that the petitioner and the victim Ruby are of the same village and they are in love and the petitioner was working in Tamilnadu and both of them performed marriage in temple and both went to Tamilnadu where they lived like husband and wife and the victim became pregnanant there. It is further submitted that the victim was instrumental for the marriage and she had threatend the petitioner that if he will not marry then she would commit suicide. It is further submitted that the victim was compelled to give statement in the court under pressure as said by her father and the Police and the statement u/s 164 Cr.P.C. of the victim is not truth and thereafter the victim was handed over to her father. It is further submitted that victim is a major lady and is married wife of the petitioner and petitioner had not kidnapped her as alleged in the FIR and he is in custody since 25.11.18 and prayer is made to release the petitioner on bail.

Continued :

14.03.2019 : Prayer for bail is opposed by the Ld. Addl. PP who is assisted by the Ld. Lawyer for the informant.

Heard both the sides. FIR in the case has been registered u/s 363, 366 (A) IPC against the petitioner and others for kidnapping the minor daughter of the informant by inducement for the purpose of marriage. After investigation charge-sheet has been submitted against the petitioner and cognizance of offence u/s 363, 366 (A) has been taken against him. From perusal of the record it appears that the victim girl in her statement u/s 164 Cr.P.C. has also stated that the petitioner and others kidnapped her and they sprinkled powder over her and she became un-conscious. As per medical examination report of the victim she is 17 to 18 year old. Keeping in view the nature of allegation the petitioner Awadhesh Kumar does not deserve bail and his prayer for bail is rejected accordingly. The accused Awadhesh Kumar is remanded to custody to be produced on 28.03.19 for framing of charge.

Ist Addl. Sessions Judge

E. Champaran, Motihari