

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47063 of 2016

Arising Out of PS.Case No. -120 Year- 2014 Thana -NIMCHAKBATHANI District- GAYA

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Pramod Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 498A,366A and 376 of the Indian Penal Code.

The prosecution case is that the informant's younger daughter was kidnapped by Munna Ravidas, the son in law of the informant who subsequently ravished her when marriage of informant's elder daughter Pinki was solemnized with Munna Ravidas five years prior to the occurrence. In 164 Cr.P.C. statement the victim suggested that she was being called by Dharmendra, the elder brother of Munna (son in law of the informant) and thereafter they took her to temple where Munna performed forceful marriage with her.

It is submitted by the learned counsel for the petitioner that as per 164 Cr.P.C. statement, the thrust of accusation is against co accused Munna Ravidas and the victim stated that she was never raped.

Considering the fact that in 164 Cr.P.C. statement the age of the victim has been recorded as 15 years and the court also assessed as such though it is submitted that the doctor has found the victim aged 19 years, this court is not inclined to interfere in the matter but considering the thrust of accusation against co accused Munna, it is a case for consideration of the prayer for bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Neemchak Bathani P.S. Case No. 120 of 2014 pending in the court of learned ACJM X, Gaya.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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