

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20870 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -KASHICHAK District- NAWADA

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Ranjeet Kumar Son of Late Lalo Mahto, Resident of village- Hanuman Bigha, P.S.- Kashichak, District- Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Durgesh Nandan, Advocate.

For the Opposite Party : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-07-2016 Heard both sides.

The petitioner apprehends his arrest in Kashichak P.S. Case No. 90 of 2015 registered for the offences punishable under Sections 493, 313 and 376 of the Indian Penal Code.

The victim made allegation that on the pretext of marriage the petitioner established physical relationship with her. She became pregnant, but the petitioner refused to marry and also got her aborted.

Shri Durgesh Nandan, learned counsel for the petitioner submits that the victim made her statement under Section 164 of the Cr.P.C. and she disclosed her age to be 17 years. The court assessed the age of the victim to be 18 years. The victim was a consenting party. She herself admitted that she lodged the case

only because the petitioner refused to marry.

Learned counsel for the informant as well as the learned APP opposed the prayer for anticipatory bail of the petitioner and submitted that according to the School Leaving Certificate the victim was born in the year 2002 and the case is of the year 2015 and the victim was studying in class-x at the time of occurrence.

Considering the facts aforesaid and the fact that the victim was minor and the petitioner on the pretext of marriage established physical relationship with her, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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