

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25240 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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1. Md. Sohaib S/o Late Md. Mumtaj Ansari @ Natho Mian resident of village - Bibipur, P.S. Kako, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

For the Informant : Mr. Madanjeet Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

5 10-07-2017 Heard both sides.

The petitioner seeks bail in Mahila P.S. case No. 60 of 2016 under Section 323, 376, 120B, 504/34 of the Indian Penal Code.

The victim made her statement that the petitioner, on the pretext of marriage, established physical relation with her but when she insisted to solemnize marriage the petitioner and his uncle demanded dowry.

The learned counsel for the petitioner submits that petitioner is a consenting party. The doctor has assessed the age of victim between 17-19 years but from perusal of the FIR itself it appears that the victim disclosed her date of birth as 29.10.1999.



Considering the fact that the victim on the date of occurrence was less than 17 years of age and she was admittedly minor, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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