

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6972 of 2017

Arising Out of PS.Case No. -34 Year- 2015 Thana -KUNALI District- SUPAUL

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1. Ram Prasad Ram Son of Late Uchit Ram, R/o Village + P.O.-Dagmara,
P.S.-Kunouli, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shyam Narayan Mandal S/o Prabhu Narayan Mandal @ Prabhu Mandal,
R/o Village + P.O.-Dagmara, P.S.-Kunouli, District-Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri
For the Opposite Party/s : Ms. Pushpa Kumari

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

3 22-03-2017 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor representing the State.

The petitioner seeks cancellation of anticipatory
bail granted to Opposite Party No. 2 by learned Sessions
Judge, Supaul, in A.B.A. No. 973 of 2016, arising out of
Kunouli Police Station Case No. 34 of 2015, registered for
the offence punishable under Section 366A read with
Section 34 of the Indian Penal Code.

Learned Counsel for the petitioner, who is
informant of the case, has submitted that it is evident from
the First Information Report that the victim is a minor,
which fact is supported by the birth certificate, issued by



the Panchayat Secretary, Gram Panchayat Raj Dagmara. It has also been submitted that the Opposite Party No. 2 has induced the daughter of the petitioner and married her in a temple.

This is not being disputed that the Opposite Party No. 2 has married the petitioner's daughter. The question of her minority can be appreciated at appropriate stage. There is no allegation of misuse of privilege of bail.

I do not find it to be a fit case for cancellation of bail granted by the learned Court below.

This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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