

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34707 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Sahdeo Chaudhary

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-08-2017

Heard both sides.

The petitioner apprehends his arrest in complaint case No. 318 of 2016 for the offences allegedly committed by the petitioner under Section 376 of the Indian Penal Code and under Section 4 of the POCSO Act.

The complainant alleged that Juli Kumari, Khushbu Kumari and Shanti Devi took her minor daughter, the victim, to their house and took her to Rajgir fair but her daughter did not return. Her daughter returned after two months and disclosed that the accused persons handed her over to Sahdeo Chaudhary, the petitioner, who get her confined in a room and also established physical relationship with her.

The learned counsel for the petitioner submits that complainant herself stated in her complaint that her daughter



returned after two months and disclosed that Sahdeo Chaudhary solemnized marriage with her. The victim fled away from her house and voluntarily solemnized marriage with the petitioner. It is submitted that petitioner did not commit any rape but from perusal of the statement of the victim it appears that the victim made specific allegation that the petitioner confined her in a room and also established physical relationship with her. The victim is a minor girl.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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