

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11631 of 2017

Arising Out of PS.Case No. -167 Year- 2016 Thana -JANKINAGAR District- PURNIA

=====

1. Mukesh Ram @ Mukesh Kumar Ram, Son of Rajendra Ram, resident of Village- Khutaha, Baijnathpur, Police Station- Bhargawa, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Jankinagar P.S.

Case No. 167 of 2016 instituted for the offence under Section-366(A) of the Indian Penal Code.

As per fardbyan, the minor girl of 16 years had gone to bank to withdraw money but she did not return back. It is alleged that her daughter received a call on mobile from a boy. The statement of victim girl was recorded u/S 164 of the Cr.P.C. wherein she had stated her age as 16 years and the court assessed her age 16 and half year. The victim girl in her statement recorded u/S 164 of the Cr.P.C. levelled specific allegation against this petitioner of kidnapping her and forcibly gave sindoor in her head and also established physical relationship. In the C.D. there is



report of medical examination of the doctor, in which, the doctor assessed her age as between 16 to 17 years.

In such circumstances, the girl was minor. Therefore, this court is not inclined to grant anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail filed in connection with Jankinagar P.S. Case No. 167 of 2016 stands rejected.

The petitioner is directed to surrender before the court below and seek regular bail, which shall be considered and disposed off on same day on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

