

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9096 of 2018

Arising Out of PS.Case No. -299 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Fulsan Kumar @ Fantus Kumar S/o Chandeshwari Paswan, R/o Village-
Permanandpur, P.S.-Bihariganj, District-Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
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ORAL ORDER

2 17-02-2018 Heard the learned counsel for the petitioner as well as
learned Additional P.P.

The petitioner apprehends his arrest in connection
Bihariganj P.S. Case No. 299/2017, instituted for an offence
punishable under Sections 366(A)/34 of the Indian Penal Code.

The victim, Kajal Kumari (a minor), was taken
away by the petitioner along with Sinku Kumar while she was
sleeping in the night of 16.10.2017 and for that the informant,
uncle of the victim, has filed the instant prosecution.

Learned counsel for the petitioner has submitted that
the victim, during course of her statement recorded under Section
164 of the Cr.P.C., has shown inclination towards the petitioner by
way of stating that she has married with him. It has also been



submitted that the victim, during course of her statement recorded under Section 164 of the Cr.P.C., has shown her age to be 19 years. So, she happens to be major whereupon, the petitioner be released on an anticipatory bail.

The learned Additional P.P. has opposed the prayer.

Considering the status of the victim to be minor, the petitioner does not deserve anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Aditya Kumar Trivedi, J.)

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