

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.123 of 2016

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Lakshmi Bhagat, S/o Sri Ram Bahadur Bhagat, Resident of
Village- Simri, P.S.- Simri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sony Kumari, daughter of Lakshmi Bhagat
3. Birender Yadav, son of Jagdish Yadav
4. Jagdish Yadav, son of Late Saryug Yadav
All residents of Village- Simri, P.S.- Simri, District-
Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Prasad, Adv.

For the State : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 15-03-2018 The daughter of the informant, on being found to
be a major, was permitted to go with the person of her
choice. A case was lodged by the petitioner against opposite
party No. 3 and others for having kidnapped his
daughter/Soni Kumari by the opposite party Nos. 3 and 4.

The learned Judicial Magistrate, Ist Class,
Darbhanga in connection with Simri P.S. Case No. 163 of



2014, on perusing the 164 Cr.P.C. statement of Soni Kumari, in which her age was stated to be 20 years and the certificate issued by the Bihar School Examination Committee in which her date of birth was stated to be 12.02.1998, found the opposite party No. 2 to be a major.

Since there was some difference in the date of birth indicated in another document, a Medical Board also was constituted which assessed the age of opposite party No. 2 to be between 16-17 years. Finding the opposite party No. 2 to be a major, she was permitted to go with the person of her choice.

It appears that opposite party No. 2 has voluntarily married opposite party No. 3.

The aforesaid order passed by the learned Judicial Magistrate, Ist Class, Darbhanga on 27.12.2014, was challenged by the petitioner/father of the opposite party No. 2 before the learned Sessions Judge, Darbhanga *vide* Cr. Appeal No. 02 of 2015.

The learned Appellate Court has took note of the aforesaid facts and refused to interfere with the order directing for release of opposite party No. 2 and permitting her to go with the person of her choice.

No good ground has been made out by the learned counsel for the petitioner to interfere with the



aforesaid orders passed by the courts below.

The petition is without merits and is, accordingly,
dismissed.

Praveen-II/-

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(Ashutosh Kumar, J)

