

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60936 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -PANDARAK District- PATNA

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Ishwar Paswan, Son of Late Gurucharan Paswan, Resident of Chaturbhuj
Pur, P.S. – Pandarak, I District – Patna, Bihar.

.... Petitioner/s

Versus

1. State of Bihar
2. Ram Babu Kumar, Son of Mahesh Paswan, Resident of Village –
Chaturbhuj Pur (Sarhan), Ward No. 14, P.S. Pandarak, Dist – Patna, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-10-2018

This application has been filed by the petitioner for
cancellation of anticipatory bail granted to the opposite party no. 2
vide order dated 27.07.2018 passed in Cr. Misc. No. 44178 of
2018 on the ground that the petitioner has concealed the fact that
the victim girl was minor at the time of occurrence and obtained
the anticipatory bail. In support of his contention, learned counsel
for the petitioner referred to the Aadhar Card and the certificate
issued by Bihar School Examination Board, Patna.

Heard learned APP also.

Having heard both sides, from perusal of the order
dated 27.07.2018, it appears that the petitioner, nowhere, has made
submission that the girl was major at the time of occurrence rather
it was submitted that the girl in her statement under Section 164



Cr.P.C. has claimed herself to be major and had gone with opposite party no. 2 out of her own sweet will and has performed marriage with her. As such, there is no suppression of the fact on the part of the opposite party no. 2.

In view of the above, I am not inclined to interfere with the order dated 27.07.2018 passed in Cr. Misc. No. 44178 of 2018.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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