

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53489 of 2018

Arising Out of PS.Case No. -229 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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RAHUL RAM, SON OF DEV LAL RAM, RESIDENT OF VILLAGE-
CHAKBHATANDI, P.S.-SADAR HAJIPUR, DISTRICT-VAISHALI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 04-09-2018

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Petitioner is said to have abducted the victim and
for that her father informant Ram Avtar Sahni has instituted
the present case. It has been submitted at the end of learned
counsel for the petitioner that the victim though minor but
admitted that she herself volunteered company of the petitioner
as well as got married with him. Also submitted that case been
compromised amongst the parties and Annexure-3 is to this
effect. That being so, it happens to be a fit case wherein
petitioner should be granted anticipatory bail.

The learned Additional Public Prosecutor opposed
the prayer.

Gone through the order impugned wherefrom it is
evident that birth certificate was obtained by the Investigating
Officer from the concerned school showing date of birth as
28.04.2004. So certainly victim was minor on the alleged date
or even at the time of her statement under Section 164 Cr.P.C.



That being so, instant petition is found non-maintainable and is accordingly rejected. However, during course of consideration of prayer for regular bail in case being made on behalf of petitioner, the learned lower court would consider the changed circumstances, preferably.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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