

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.675 of 2016

=====

1. Jai Prakash Rai S/o Gauri Shankar Rai Resident of
Village- Patsharma West , P.S. Gaighat, District
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Respondent/s : Smt. Anita Kumari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH
KUMAR**

ORAL ORDER

3 14-05-2018 The petitioner is aggrieved by the order dated
19.05.2016 passed by the learned Judicial Magistrate, Ist
Class, Muzaffarpur in connection with Gaighat P.S. Case
No.291 of 2015 whereby the daughter of the petitioner has
been given the freedom to go anywhere she desires on the
ground of her majority.

The records of this Court reveal that a case was lodged
by the petitioner for abducting / kidnapping of his daughter.
In connection with the aforesaid case, the daughter of the
informant was arrested and was produced before the Judicial
Magistrate, Muzaffarpur. She in her statement under Section
164 disclosed that she has married Pappu Kumar of her own
choice and volition and is desirous of living with him only.

The daughter of the petitioner was also subjected to



medical examination and her age was assessed as 15 to 16 years.

It may be noted that in her statement under section 164 Cr.P.C. the victim has disclosed her age to be 20 years.

The age of the victim girl was assessed by the learned Court below as 18 years.

The Court below took into account the certificate issued by the Principal of Upgraded Middle School, Dahila which recorded the date of birth of the daughter of the informant (victim) as 1.1.2000 which made her more than 16 years of age on the date of the occurrence.

Taking a holistic view of the matter and finding that the daughter of the petitioner was not at all ready to go to her parental house, the Court below held that she was free to go to any place where she desired.

Today, the daughter of the petitioner is a major having attained more than 18 years of age.

Considering this aspect of the matter, this Court does not find any reason to interfere with the impugned order.

Accordingly, the revision petition is dismissed.

(Ashutosh Kumar, J)

Sanjeev/-

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

