

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57615 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- HULASGANJ District- Jehanabad

VIKKY DAS Son of Ram Vinay Das @ Vinay Das, Resident of Village -
Kokarsa, P.S.- Hulasganj, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 11-12-2019 Heard Mr. Yogesh Chandra Verma, learned senior
counsel for the petitioner and learned APP.

Petitioner seeks bail in Hulasganj P.S. Case No.52 of
2019 registered under Sections 363,366A, 504 and 34 of the IPC
and under section 12 of the POCSO Act.

The gist of the allegation is that the petitioner enticed
the minor daughter of the informant and established physical
relation with her.

Learned senior counsel for the petitioner submits that
the victim left her house out of her free will and solemnized
marriage with the petitioner. At best, the marriage is voidable.
No case under section 366A is made out. The case has been
compromised but it appears that the date of birth of the victim is
13.02.2005 and on the date of occurrence i.e. 28.03.2019 the



victim was about 14 years old. The petitioner is alleged to have enticed her. The victim in her statement under section 164 of the Cr.P.C. very categorically disclosed that the petitioner took her to different places and forcibly committed rape with her. She further disclosed that the petitioner forcibly married with her at the place of his brother-in-law.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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