

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1921 of 2020**

Arising Out of PS. Case No.-79 Year-2019 Thana- THAKRAHA District- West Champaran

LUTAN @ CHANDRAJEET KUMAR Son of Shreekant Resident of Village  
- Jero Khas Parasa @ Sirisiya, P.S.- Sewarahi, At present, P.S.- Tareya Sujan,  
Distt - Kushinagar (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Raghunath Mahto Son of Biju Mahto Resident of Ali Tola, Ward No. 4, Post  
and P.S.- Thakara, Distt - West Champara (Bihar)

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Suresh Prasad Sharma  
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      22-01-2020                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is in custody since 07.10.2019 in  
connection with Thakraha P.S. Case No. 79 of 2019 for the  
offence registered under Sections 363 and 366A of the Indian  
Penal Code.

Learned counsel for the petitioner submits that the  
victim girl had fled away with him of her own sweet will which  
is evident from her own statement made under Section 164  
Cr.P.C.

However, considering the fact that the victim girl is a  
minor and that she has specifically stated in her statement under  
Section 164 Cr.P.C. that the petitioner had forcibly made sexual  
relation with her, I am not inclined to granted regular bail to the



petitioner. It, is accordingly, rejected.

**(Anjana Mishra, J)**

Jagdish/-

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