

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29945 of 2020

Arising Out of PS. Case No.-56 Year-2018 Thana- TISIAUTA District- Vaishali

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LAL BABU PANDIT Son of Surendra Pandit Resident of Village- Pratap
Tanr, P.S.- Bhagwanpur, District- Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr. Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 04-01-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Tisiauta Police Station Case No. 56 of 2018, disclosing offences under Sections 363/366-A/34 of the Indian Penal Code and Sections 3/4 of the Protection of Children from Sexual Offences Act, 2012.

The allegation, as per the First Information Report, is that the daughter of the informant, aged about 16 years, was abducted by the petitioner.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and there was love affairs between the petitioner and the victim girl and the petitioner has solemnized marriage with the victim girl and they are living as husband and wife in a rented house, at Haryana. He, referring to Annexure 2, submits that the victim



girl was medically examined and the doctor has assessed her age between 19 and 20 years. He further submits that the petitioner was not married to any other lady from before.

On the other hand, learned Additional Public Prosecutor, referring to the impugned order, submits that the victim girl, in her statement recorded under Section 164 of the Code of Criminal Procedure, 1973, has categorically stated that the petitioner had taken her to Haryana, where the petitioner forcibly married with her and established forcible sexual physical relationship and when she gave birth to a child, the petitioner fled away leaving the victim girl and her child alone. It has further been stated that the petitioner was married to another lady from before.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the statement of the victim girl, recorded under Section 164 of the Code of Criminal Procedure, 1973, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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