

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53967 of 2021**

Arising Out of PS. Case No.-71 Year-2020 Thana- MAHILA P.S. District- Nalanda

PANKAJ KUMAR @ SAHIL PRAKASH S/o- LATE RAJESHWER  
PRASAD R/o Pandit Gali, P.S.- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      27-04-2022                      Heard learned counsel for the parties.

The petitioner has challenged the order dated 15.07.2021 passed by the learned S.D.J.M., Nalanda by which cognizance has been taken under Sections 376, 504 and 506 of the Indian Penal Code in connection with Mahila P.S. Case No. 71 of 2020.

The prosecution story in brief is that the informant, Simpi Rani alleged in her written report dated 24.06.2020 that the petitioner was in love with her and he made physical relationship forcibly with her for the last 10 years on the pretext of marriage. It is further alleged by her that whenever she became pregnant the accused persons forced her to abort. This sometimes gave her suicidal tendency. It has further been alleged by the informant, Simpi Rani that the family members



of the petitioner herein had threatened that unless Rs. 10 lakhs is paid to them, they will never allow this marriage to solemnize.

Although the informant, Simpi Rani has made an allegation against other family members of the petitioner also the police investigated the matter and finally submitted charge-sheet against the petitioner herein on 15.07.2021/16.07.2021 under Sections 376, 504 and 506/34 of the Indian Penal Code.

The learned Court below thereafter took up the matter and vide an order dated 16.07.2021 took cognizance under Sections 376, 506 and 504 of the Indian Penal Code which has now been challenged by the petitioner under Section 482 of the Code of Criminal Procedure.

A bare perusal of the First Information Report, the deposition of the informant, Simpi Rani in the Court, the charge-sheet filed by the police against the petitioner and the cognizance order passed by the learned Court below clearly shows that a case is made out against the petitioner herein under Sections 376, 506 and 504 of the Indian Penal Code.

This Court does not see any infirmity in the order passed by the learned Court below taking cognizance vide an order dated 16.07.2021 and the application preferred by him under Section 482 of the Code of Criminal Procedure has got no



merit and is hereby dismissed.

**(Rajiv Roy, J)**

Jagdish/-

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