

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24870 of 2015

Arising Out of PS. Case No.-76 Year-2014 Thana- MAHILA PS District- Jehanabad

Ram Raj Choahan Son of Bindeshwar Choahan Resident of village -
Beldarichak, P.O. Karoana, P.S. Jehanabad, District - Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Tun Tun Choahan Son of Sri Khudi Choahan resident of village - Beldari
Chak, P.S. Jehanabad Karoana , District - Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr.Awadhesh Kr.Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-02-2023

Heard the parties.

This application has been filed for quashing of the order dated 13.03.2015 passed by the learned A.D.J.-1st, Jehanabad whereby and whereunder the learned Court dismissed the discharge petition of the petitioner and passed order for framing of charge against the petitioner in connection with Jehanabad Mahila P.S. Case NO. 76 of 2014.

As per the prosecution story, the informant alleged that on 28.11.2014 that one co-villager saw the petitioner taking away his seven (7) years old daughter 'X'. Later, the girl returned crying and informed her mother about the alleged act of the accused persons and when the villagers reached the spot, the petitioner tried to escape, was apprehended and handed over to the police.



The police found the case to be true and submitted charge sheet whereafter a discharge petition was preferred which came to be rejected and the learned Court framed charge against the petitioner herein.

Aggrieved, the present petition.

Although the learned counsel for the petitioner tried to put forward a brave face, he was unable to explain about the allegation that has come in the FIR. The police investigated the matter, found the case to be true, cognizance taken and charges have already been framed.

In a society where even a seven (7) years old child is unsafe in and around her home, she is not even acquainted with the darker side of the society, does not know the basic things in life and if she has to go through such trauma the same definitely pains the Court. The allegation on the petitioner being heinous, it is certainly not a fit case for interference and the petition is accordingly dismissed.

(Rajiv Roy, J)

Jagdish/Neha -

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