

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8712 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- MAJHAULIA District- West Champaran

ANWAT KUMAR CHOUDHARY @ ANWAT SAHNI Son of Bhagat Sahni
R/o- Jaukatiya Chhota Malahi Tola, Post - Jaukatiya, Ward No.- 10, P.S.-
Majhauriya, Jaukatiya, Dist.- West Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sashikala Devi Wife of Anwat Kumar Chaudhary Daughter of Suresh Prashad Yadav, Resident of Jaukatiya, Malahi Tola, P.S.- Majhauriya, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rishabh Mishra, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

This application has been filed for quashing of F.I.R
vide Majhauriya P.S. Case No. 216 of 2022 for the offences
under Sections 363, 366, 493, 376 and 34 of the Indian Penal
Code.

Prosecution story in short is that the petitioner
commuted at the house of the informant on his motorcycle. One
day the accused petitioner drove away the victim girl to his
relative's house by persuading and alluring her at Delhi. The
accused petitioner continuously established illicit physical
relationship with her and lastly solemnized the court marriage
with her. At the time of marriage, the victim girl was minor.



From reading of the F.I.R., it appears that there are serious allegations against the petitioner and *prima facie* case is made out against the petitioner.

Considering the aforesaid facts and also the law laid down down by the Hon’ble Supreme Court in case of *M/S Neeharika Infrastructure Pvt. Ltd. Vs State of Maharashtra and others* reported in *(2020) 10 SCC 118*, this application is dismissed.

(Sandeep Kumar, J)

Harsh/

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