

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56534 of 2023**

Arising Out of PS. Case No.-103 Year-2022 Thana- BARHIYA District-
Lakhisarai

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VIKASH KUMAR SON OF SHIVDANI THAKUR RESIDENT OF VILLAGE -
PARSAWAN, P.S. - RAMGARH CHOWK, DISTRICT - LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Barahiya P.S. Case No. 103 of 2022 registered for the
offence under Sections 366(A)/34 of the Indian Penal Code.

The petitioner is alleged to have enticed away the
minor sister of the informant.

Considering the nature of allegation against the
petitioner that he has enticed away the minor sister of the
informant for the purpose of marriage which is supported by
the statement of the victim recorded under Section 164
Cr.P.C. even though the victim, who was minor at the time of
occurrence as is evident from record, has recorded her



consent in her statement to marry with the petitioner, this Court would not find it a fit case for grant of anticipatory bail to the petitioner as consent of minor is not consent in the eye of law.

Accordingly, this application is rejected.

(Rajesh Kumar Verma, J)

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