

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52946 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

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Mithilesh Das S/O Jay Narayan Das R/O Brahmapura, P.S- Hardi, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Y. Madhavi
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Valmikinagar P.S. Case No. 118 of 2023 registered for the
offences punishable under Sections 366A and 34 of the Indian
Penal Code.

3. The learned counsel appearing on behalf of the
petitioner submits that the petitioner is a person with clean
antecedent and the informant alleges that her minor daughter,
aged about 14 years, was a student of computer classes in the
institute of Sanjay Prasad, Tanki Bazar, Valmikinagar, further
alleges that on 27-9-2023, Prince and Mithilesh, who are staff of
the said computer classes, convinced her minor daughter and



took her somewhere with an intention to marry her and when the informant inquired from Sanjay about her minor daughter, he assured that her daughter would be returned after payment of Rs. 20,000/- and also revealed that her daughter has been sent to the house of Prince Kumar and Mithilesh.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner is a major aged above 20-21 years and the victim has come back and her statement was recorded under Section 164 Cr.P.C wherein she has disclosed her age as 20 years and has not supported the case of the prosecution.

5. The learned APP, Shri. Chandra Bhushan Prasad, fairly submits that from perusal of the statement of the victim recorded under section 164 Cr.P.C, it manifests that she has disclosed her age as 20 years, as would manifest from para-58 of the case diary, but then the learned APP draws the attention of the court to the supplementary affidavit filed on behalf of the petitioner and submits that from perusal of the school transfer certificate annexed with the supplementary affidavit, it would manifest that the same was issued on 31-3-2023 and the date of birth recorded in the transfer certificate is 19-3-2009 as such the



victim on the date of occurrence was 14 years of age. It is further submitted that consent of a minor has no relevance.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

SUMIT/-

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