

Mukesh Prakash Vs. the State of Bihar

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Court : Patna

Decided On : May-13-2012

Appellant : Mukesh Prakash

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.24687 of 2011 Mukesh Prakash Versus The State Of Bihar & Ors. ----- 2. 13.1.2012 Heard learned counsel for the petitioner and learned counsel for the State. Learned counsel for the petitioner is permitted to add the informant as well as the victim girl as opposite party nos. 2 and 3. According to the First Information Report it appears that the victim girl has gone to her friend, namely, Anjana Kumari and when she did not return an enquiry was made. Learned counsel for the petitioner has submitted that victim girl is aged about 15 years and is a student of Class XI in D.A.V. Cant Area, Gaya. Learned counsel for the petitioner has drawn my attention to the statement under section 164 of the Code of Criminal Procedure (hereinafter referred to as the the Code). It has been further submitted that the petitioner is a graduate engineer and according to the statement under section 164 of the Code this case is nothing but it is a malicious prosecution. 2 In the said circumstances, issue notice to opposite party nos.2 and 3 under ordinary course as well as registered post with A/D for which requisites etc. must be filed within a period of one week, failing which this application as against them shall stand rejected without further reference to the Bench. In the meanwhile, no coercive steps shall be taken against the petitioner in

Rampur P.S. Case No.111 of 2009 pending in the court of the Chief Judicial Magistrate, Gaya. Vinay/ (Shivaji Pandey, J.)

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