

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34510 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Rupesh Kumar S/o Chandrika Singh, resident of Village Chand Parsa, P.S.-
Kesariya, Dist.- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 06-09-2016 Heard Sri Sangeet Deokuliar, learned counsel for the
petitioner and learned Addl. Public Prosecutor.

The petitioner, who was a government school teacher
apprehending his arrest in Kesariya P.S. Case No. 89 of 2016
registered for the offence under Section 376 of the Indian Penal
Code and Sections 3, 4 and 6 of the Protection of Children from
Sexual Offences Act, 2012, has prayed for grant of bail in the
event of arrest or surrender.

It was submitted by learned counsel for the petitioner
that the victim girl though has been mentioned as 16 years old in
F.I.R., she is major. He has argued that the present F.I.R. has not
been lodged by the victim or parent, but some other person has
filed the case.

In a criminal case, I do not think it is necessary that in all offences, victim person should be informant. Criminal law can be set into motion by anyone.

Keeping in view the seriousness of the accusation, I do not find any ground to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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