

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43136 of 2017

Arising Out of PS.Case No. -225 Year- 2015 Thana -SONEPUR District- SARAN

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Gautam Kumar, S/o Sh. Ram Lal Ray R/o Village-Parbejawad Diyara, P.S.
Sonpur, Dist. Saran, Bihar.

.... Petitioner

Versus

1. State of Bihar

2. Komal Kumari, Daughter of Manoj Tiwai, Resident of
Village-Pravejabad Diara, P.S.-Sonpur, District-Saran at Chhapra

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sonpur P.S. Case No.225 of 2015 registered under Sections
366A, 363/34 of the Indian Penal Code.

The prayer for grant of pre-arrest bail of the
petitioner was earlier rejected by this Court vide order dated
09.10.2015 taking into consideration the statement of the victim
recorded under Section 164 of the Code of Criminal Procedure.



There is no change in the circumstance and after almost two years, the petitioner has filed second application stating that the parties have compromised the case.

In my considered opinion, in a case under Section 366-A of the Indian Penal Code in which the allegation is that a minor girl aged about 15 years was bodily lifted and forcibly taken to a lonely place in a village, a compromise between the parties cannot be made a ground for reconsideration of prayer for pre-arrest bail to the petitioner.

Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

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