

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3124 of 2017**

Arising Out of PS.Case No. -148 Year- 2016 Thana -KAKO District- JEHANABAD

Ram Dhayan Prasad @ Ayush Kumar, Son of Sri Dinesh Prasad, Resident of Village- Mai, Police Station- Kako (Bhelawar), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Kumari, Daughter of Raju Giri, resident of Village- Mai, Post Office- Nauru, Police Station- Kako (Bhelawar), District- Jehanabad.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**

## ORAL ORDER

5 21-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Kako P.S. Case No. 148 of 2016 instituted for the offence under Section(s) 365, 366(A), 376, 323 of the Indian Penal Code.

As per written report, there is allegation against the petitioner of kidnapping the victim girl and committing rape with her.

Learned A.P.P. has submitted that the statement of the victim girl has been recorded under Section 164 Cr.P.C. which is available in para 33 of the case diary. The victim girl in her statement has supported the case and has levelled specific



allegation against this petitioner of kidnapping her and committing rape with her.

It has been submitted on behalf of the petitioner that now the compromise has taken place between the parties as will appear from the supplementary affidavit filed by the maternal uncle of the petitioner.

This Court is not satisfied with the supplementary affidavit filed by the maternal uncle of the petitioner.

In such circumstance, this Court is not inclined to grant petitioner anticipatory bail. The prayer of the petitioner for anticipatory bail is rejected.

The petitioner is directed to surrender before the Court below within a period of six weeks from today in connection with Kako P.S. Case No. 148 of 2016 and seek regular bail, which shall be considered and disposed off on its own merit without being prejudiced by the order of this Court.

**(Sanjay Priya, J)**

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