

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7105 of 2018

Arising Out of PS.Case No. -13 Year- 2012 Thana -MAHILA P.S. District- MADHEPURA

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1. Raman Yadav @ Raman Kumar @ Kumar Raman, son of Radhe Yadav,
Resident of Village- Bhatrandha, Police Station- Ghailadh, District-
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-04-2018 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S.
Case No.13 of 2012 registered under Sections 448, 376 and 34 of
the Indian Penal Code.

Mr. Uday Chand Prasad, learned counsel for the
petitioner submits that prayer for anticipatory bail of the petitioner
was earlier rejected vide order dated 14.11.2017 passed in Cr.
Misc. No.49109 of 2017 on the ground that the case is of the year
2012 and the cognizance was taken under Section 376 and other
Sections of the I.P.C. on 07.07.2012 but the petitioner moved
before the Court for grant of anticipatory bail only after five years
from the date of order taking cognizance. It is submitted that



summons was issued only on 18.12.2016. The petitioner has no knowledge about the order taking cognizance. On similar facts, Sanjay yadav and Mahendra Yadav have been granted anticipatory bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.55870 of 2017 but the prayer for anticipatory bail of the petitioner No.3, Dharamveer Yadav was rejected by the same order.

It appears that petitioner is named in the F.I.R. and the victim made specific allegation against the petitioner also. The police after investigation submitted final form but the learned C.J.M. took cognizance on 07.07.2012. The petitioner filed anticipatory bail only after five years of the occurrence and on this ground alone, the prayer for anticipatory bail of the petitioner was earlier rejected. I do not find any new ground to reconsider the prayer for anticipatory bail of the petitioner.

Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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