

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14881 of 2018

Arising Out of PS.Case No. -57 Year- 2012 Thana -MAHILA PS District- DARBHANGA

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Pankaj Kumar Yadav, S/o Ram Dayal Yadav, R/o Village/Mohalla-
Bhachhi, P.S.- Baheri, District- Darbhanga, Pin Code- 847101 (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party/s : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mahila P.S.**

Case No. 57 of 2012 instituted for the offence under Sections
376(G) of the Indian Penal Code.

It is alleged in the written report that minor daughter
of the informant namely, Sahin Perween aged about 14 years had
gone to village to visit the marriage of daughter of Akhtar on
24.05.2012 at 7:30 hours in the morning and at 8:30 hours night
Md. Akhtar came along with his daughter to drop her in the house
without her *Paijama*. Md. Akhtar gave his daughter's *Paijama*.
The daughter of informant told him that four boys from the Barat
Party forcibly took her to nearby bush and have committed rape
with her and thrown her *Paijama*. The informant learnt that this



petitioner along with three other accused persons have committed rape with his daughter.

Learned counsel for the petitioner has submitted that other two accused persons have faced trial and they have been acquitted by the court below. The victim has not identified them during trial. The aforesaid judgment passed by the court below has been enclosed with the bail petition.

From perusal of the aforesaid Judgment it appears that cognizance has been taken against this petitioner and other accused persons but the petitioner never appeared in the court below and has absconded. Hence, his trial was separated.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail which shall be considered by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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