

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77518 of 2018

Arising Out of PS. Case No.-224 Year-2018 Thana- BARHARA KOTHI District- Purnia

Ashish Kumar @ Ashish Kumar Ranjan, S/o Jeetan Mandal, R/o Vill.- Dubba
Tol, P.S.- Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Satyavarat Verma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Barhara P.S. Case No.224 of 2018 registered under Sections 363 and 365 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-II, Purnea.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R., while the victim, whose age has been assessed in between 18-19 years, just after four days of the occurrence, has stated in her statement recorded under Section 164 of the Code of Criminal Procedure that in course of returning from the school, someone from her behind put handkerchief at her mouth, due to which she became



unconscious. When she regain consciousness, she found herself in a room, in which this petitioner, who is her classmate, and one senior student, namely, Niraj, were present. Thereafter, she again became unconscious and when she regain her consciousness, she found herself at her house.

Having considered the facts and the circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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