

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62185 of 2018**

Arising Out of PS. Case No.-41 Year-2017 Thana- AMNAUR District- Saran

=====

Vivek Rai Son of Sri Chandra Shekhar Rai Resident of Village Dholahi, Nara Par, P.S. Amnaur, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Sri Nawal Kishore Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

5      25-01-2019                      Heard both sides.

The petitioner apprehends his arrest in Amnaur P.S. case No. 41 of 2017 registered under Section 376, 302, 201 of the Indian Penal Code and under Section 3/4 of POCSO Act.

The informant, grand father of the victim, lodged the case against unknown. During the course of investigation, name of Rabindra Ray surfaced. Rabindra Ray disclosed that he along with petitioner committed rape and stabbed the victim to death.

The learned counsel for the petitioner submits that save and except confession statement of Rabindra Ray the I.O. did not collect any tangible evidence to show the involvement of the petitioner but from perusal of the FIR, case diary and statement of Rabindra Ray it appears that Rabindra Ray has vividly described about the manner of occurrence and made



inculpatory statement that he and petitioner committed rape with victim and stabbed her to death.

Considering the nature of offence and allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J)**

BKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

