

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24875 of 2020

Arising Out of PS. Case No.-41 Year-2016 Thana- GOVINDPUR District- Nawada

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RANJAY KUMAR Son of Kapildev Yadav Resident of Village- Thali Bazar,
Police Station- Govindpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. A. L. Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through video

conferencing.

This application, for grant of anticipatory bail, arises
out of Govindpur Police Station Case No. 41 of 2016, disclosing
offences under Sections 366-A/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the daughter of the informant had gone for
tuition, but she did not return home and on 29.05.2016, the
informant received a call from her daughter, who told her that
she is in the house of co-accused Anuj Singh, at Akbarpur.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and there was
love affairs between the daughter of the informant and co-



accused Mantu Kumar. He further submits that the informant's daughter is major and she had gone with co-accused Mantu Kumar out of her own free will. He further submits that in the medical examination of the daughter of the informant, no sign of rape has been found upon the informant's daughter. He further submits that the informant of this case along with the victim girl has compromised the matter with the accused persons, including the petitioner, and a joint compromise petition in this regard has already been filed before the learned Court below.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and referring to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, he submits that the victim girl has categorically stated that co-accused Mantu Kumar and this petitioner forcibly took her on a motorcycle and subsequently they brought her to Ranchi and then Tamilnadu and also established physical relationship with her forcibly. He further submits that the age of the victim girl has been assessed to be 15 years by the learned Magistrate while recording her statement under Section 164 of the Code of Criminal Procedure, 1973.



Having regard to the submissions made on behalf of the parties and taking into consideration the materials on record and the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, 1973, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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