

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1261 of 2021

Arising Out of PS. Case No.-697 Year-2020 Thana- AGAMKUAN District- Patna

VED PRAKASH, S/O RAMPUKAR SINGH R/O VILLAGE-GAVTAL
DEVI ASHHAN, GANDHI NAGAR, P.S-DANAPUR, DISTRICT-PATNA.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jay Ram Prasad
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-08-2021 Heard Mr. Mr. Vikram Deo Singh, learned

Advocate for the appellant and Mr. Binay Krishna,

learned Special Public Prosecutor for the State.

The appellant has challenged the order, dated

04.01.2021, passed by the learned A.DJ. XII -cum

Special Judge, SC/ST Act, Patna, in connection with ABP

No. 7864 of 2020 in Special Case No. 430 of 2020,

arising out of Agamkuan P. S. Case No. 697 of 2020,

whereby the prayer made on behalf of the appellant for

grant of anticipatory bail for the offences punishable

under Sections 376 and 505 of the Indian Penal Code

and Sections 3 (1) (w) (II) and 3 (2) (v) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

The accusation against the appellant is of having committed rape on the victim / prosecutrix on the assurance of marriage.

On 08.07.2021, this Court had called for the case-diary and had granted interim protection to the appellant on the basis of the transcript of the messages exchanged between the appellant and the informant which *prima facie* indicated that the relationship between them had developed over facebook and such relationship was consensual.

The case-diary does not reveal anything.

However, from a perusal of the transcript of the messages exchanged between the parties, there appears to be a relationship between the petitioner and the informant. The accusation of the informant having been subjected to sexual intercourse on the assurance of the appellant that he shall marry her does not appear to be



quite off-line.

Thus, I am not inclined to confirm the provisional bail granted to the appellant.

The prayer for anticipatory bail is rejected.

The provisional bail granted to the appellant stands withdrawn.

Should the appellant surrender before the court below and seek bail, all the facts stated in the petition shall be taken into account and an order shall be passed, without being prejudiced by the fact that the present petition on his behalf has not been entertained by this Court.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

