

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57891 of 2021**

Arising Out of PS. Case No.-469 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

VIKASH YADAV S/o JAI PRAKASH R/o VILLAGE-KANAUZI, P.S-
GOPALPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha

For the Opposite Party/s : Mr.Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Sections 363/376 of the Indian Penal

registered in connection with Ramkrishna Nagar P.S.Case No.

469 of 2019.

The father of the prosecutrix is the informant. He

has stated that his daughter went out from her house on

30.06.2019 at about 4.00 p.m., but she did not return.

Learned counsel for the petitioner has submitted



that though the victim has stated that the petitioner committed rape upon her, but at the same time, she stated that she is willing to marry with the petitioner.

The prosecutrix in her statement recorded under Section 164 of the Cr.P.C. wherein her age was assessed as 17 years has specifically stated that the present petitioner has committed rape upon her. As such, in my view, it is not a fit case for anticipatory bail, which is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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