

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36452 of 2023**

Arising Out of PS. Case No.-1031 Year-2022 Thana- BIHTA District- Patna

Ajay Kumar S/O Late Badak Yadav @ Ramkumar Yadav R/O Village-  
Machhalpur Lai, P.S- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Rakesh Kumar, Advocate    |
| For the Opposite Party/s | : | Ms. Rina Sinha, A.P.P.        |
| For the Informant        | : | Mr. Sheo Jee Mishra, Advocate |

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

- 2      31-07-2023                      Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 376D, 379/34 of the Indian Penal Code.
3. All the F.I.R. named accused persons including this petitioner along with two to three unknown persons are said to have committed rape upon the informant.
4. It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in the present case under the conspiracy by his enemies. Informant is a married woman and has illicit relationship with another person. Petitioner has got clean antecedent.
5. Learned counsel for the informant opposes the



prayer for bail and submits that victim in her statement recorded under Section 164 of Cr.P.C. has supported the allegation against the petitioner and relying on a judgment of the Hon’ble Apex Court in the case of *Indresh Kumar v. The State of Uttar Pradesh and another* reported in 2022 Live Law (SC) 610 learned counsel submits that in view of the aforesaid judgment the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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