

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71342 of 2024

Arising Out of PS. Case No.-453 Year-2023 Thana- UCHKAGAON District- Gopalganj

Govinda Ram Son of Jawahir Ram village- Birdaban Chhavr, PS -Uchaka-
gaon, Dist -Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meera Devi Wife of Arvind Manjhi village- Birdaban Chhavr, PS -Uchaka-
gaon, Dist -Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Danish Quamar, Adv.
For the State	:	Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner apprehend his arrest in connection
with Uchkagaon P.S. Case No. 453 of 2023 dated 15.11.2023,
registered for the offence punishable under Section 366(A) of
Indian Penal Code.

3. As per the allegation, as emerging from the state-
ment of victim under Section 164 Cr. P.C., she was kidnapped
by three persons including the petitioner and she has been sub-
jected to gang-rape thereafter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that the victim has left her house along with Suraj Ram, who is nephew of the petitioner, on her own sweet-will and there is no proof of any injury on the private part of the alleged victim.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail submitting that the victim is minor and her consent has no meaning under law and as per allegation, she is subjected to gang-rape which offence is serious in nature.

8. Considering the nature of allegation, this Court is not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Jitendra Kumar, J.)

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ramesh/-

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