

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26846 of 2025

Arising Out of PS. Case No.-231 Year-2020 Thana- RAMGARH District- Kaimur (Bhabua)

Govind Ram S/O Jagjiwan Ram R/O Village- Bhabua Ambedkar Nagar, Ward
No. 14, P.S- Bhabua, Distt.- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari D/O Late Shivpujan Ram R/O Village- Mahuari, P.S-
Ramgarh, Distt- Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with
Ramgarh P.S. Case No. 231 of 2020, Reg. No. 1983/2020 for the
offence registered under sections 109, 120(B), 366, 376, 34 of IPC
lodged on 16.10.2020 by the informant, Kajal Kumari.

3. As per the prosecution story, the informant alleged that
she came and had relationship with Ashok Ram having come to
know through the Facebook and they had physical relationship also.
Later, he started threatening whereafter before the police, the
marriage took place. However, Ashok Ram chose to look the other
way. In between, this petitioner who is related to Ashok Ram also
forcibly committed rape. This led to the FIR.

4. Learned counsel for the petitioner submits that the



occurrence is of 09.08.2020 but the FIR came to be lodged only in the month of October 2020 and only to implicate, he has been named as an accused with allegation of committing rape, main accused, Ashok Ram has been extended relief in Cr. Misc. No. 69016 of 2023.

5. Learned APP on the other hand opposes the prayer submitting that the FIR has been lodged in October 2020, the fact remains that it is based on a complaint filed by the lady in August 2020, the petitioner despite being named in the FIR chose five long years to approach this Court.

6. Considering the submissions of the parties, though main allegation is against Ashok Kumar who has since been granted relief by a Co-ordinate Bench, the fact remains that allegation of rape has also been made against this petitioner, he has been named in the FIR, despite that he chose five long years to come to this Court, in that background, it would be appropriate that he seek bail.

7. The anticipatory bail application stands rejected.

8. If the petitioner surrenders within a period of four weeks, the Court concerned shall take up the matter and dispose it of preferably on the same day without being prejudiced by any observation made in the present case.

(Rajiv Roy, J)

Vijay Singh/-

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