

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60937 of 2025

Arising Out of PS. Case No.-312 Year-2019 Thana- JAKKANPUR District- Patna

Rakesh Kumar @ Bholu Kumar, aged about 20 years, S/o Ram Babu Singh,
Resident Of Village- Lakhanpar, P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anant Kumar S/o Shyam Bihari Singh Resident Of Village- Lakhanpar, PS-
Punpun, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shashi Priya, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-09-2025 Heard Mrs. Shashi Priya, learned counsel appearing
on behalf of the petitioner and Mr. Chandra Bhushan Prasad,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jakkanpur P.S. Case No. 312 of 2019, registered for the
offence punishable under Sections 363 of the Indian Penal Code
and later on, Section 376 of the Indian Penal Code and Section 4
of the POCSO Act were also added.

3. Mrs. Shashi Priya, learned counsel appearing on
behalf of the petitioner submitted that from perusal of the
impugned order dated 19.06.2025, it appears that there is no
consideration of the fact that any compromise petition was filed



before the learned District Court, nor, any reference has been made, as to whether, in past, the compromise petition, which was filed on 22.02.2020 was ever adjudicated. However, she finds it that the same was filed before the learned A.C.J.M., 1st, Patna. In that view, learned counsel submitted that the petitioner, who has just emerged as an adult and by the passage of time, the victim has also attained her majority, by way of indulgence, the petitioner in the changed circumstances, is willing to file a joint compromise petition before the learned District Court.

4. Considering the submission made on behalf of the petitioner, the petitioner, if so desire, may file a joint compromise petition before the learned District Court. Learned District Court, in such circumstances, may consider the case of the petitioner, who has just emerged as an adult and according to the information given by learned counsel for the petitioner, on instruction, that in due course of time, the victim has also attained majority and they were in relationship.

5. To give rest of the litigation, I find that learned District Court is required to pass order considering the changed circumstances, as well as, desire and wishes of the parties and also considering the observation made by the Madras High Court in the case of *Vijayalakshmi & Anr. vs. State Rep. by*



the Inspector of Police & Anr. reported in *(2021) SCC OnLine Mad 317.*

6. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

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