

Raj Kumar Prasad Vs. the State of Bihar and anr

Raj Kumar Prasad Vs. the State of Bihar and anr

SooperKanoon Citation : sooperkanoon.com/975029

Court : Patna

Decided On : May-11-2012

Appellant : Raj Kumar Prasad

Respondent : The State of Bihar and anr

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.44446 of 2009 Raj Kumar Prasad Versus The State of Bihar & Anr. ----- 4. 11.01.2012 Learned counsel for the petitioner and learned A.P.P. for the State are present. This application has been filed for cancellation of bail of opposite party no.2 which was granted by the Sessions Judge, Darbhanga in A.B.P. No. 311 of 2008 by order dated 21.10.2008 and also order dated 6.10.2009 passed by the Sessions Judge, Darbhanga in Cr. Misc. No. 122 of 2009, which was filed for cancellation of bail has been rejected. The opposite party no. 2 had been granted anticipatory bail in Bahadurpur P.S. Case No.126/07 registered under Sections 363, 366(A) of the Indian Penal Code. Further the chargesheet was submitted by the police under Sections 365, 366, 372, 373, and 376/34 of the Indian Penal Code as well as Sections 5/6 of the Immoral Traffic Prevention Act, 1956. The petitioner was the main accused both in the F.I.R. as well as in the chargesheet. It appears that the victim girl was not recovered when the prayer for anticipatory bail was allowed. However, on her recovery she made voluntary statement under Section 164 of the Code of Criminal Procedure before the Magistrate and has assigned 2 specific role to the opposite party no.2 with regard to the crime committed. Issue notice to opposite party no.2

both under registered cover with A/D as well as under ordinary process, requisites etc. for which must be filed within one week from today. List soon after service of notice among top 20 cases. (Ahsanuddin Amanullah, J.) Anand Kr.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com