

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1305 of 2020

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA PS District- Jehanabad

RAVI KUMAR S/O Praduman Kumar Resident of Village - Khapura, P.S.-
Kako, District - Jehanabad.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bijay Bhushan Prasad
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 06-07-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the parties.

The appellant has challenged impugned order dated
12.2.2020, passed by the Court below in a case filed for offence
punishable under section 376/34 and other allied sections of the
Indian Penal Code read with section 3 of the SC/ST Act.

Prosecution's case in short is that the appellant and
other accused persons, by administering some intoxicant,
kidnapped the 13 years old girl of the complainant.

It is submitted by learned counsel for the appellant
that the appellant has falsely been implicated in this case. He
submits that the case has been lodged after delay of nine days



without any explanation. Appellant is in custody since 6.1.2020, though he has no criminal antecedent.

Learned counsel for the State opposes the appellant's prayer. He submits that it was the appellant who administered intoxicant to the victim by closing her mouth to facilitate the commission of offence. He refers to her section 164 Cr.P.C. statement in which she has made specific allegation against this particular accused/the instant appellant.

In view of the specific allegation against the petitioner levelled by the victim herself in her aforesaid statement, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

