

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1675 of 2020**

Arising Out of PS. Case No.-516 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAVINDRA KUMAR Son of Chandradeo Mahto Resident of Village -
Mubarakpur, P.S. Muffasil, District Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vikram Deo Singh, Adv.
Mr. Arjun Prasad, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 07-12-2020 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State, through video

conferencing.

The instant appeal has been filed by the appellant against the order dated 3.1.2020 passed by the learned Special Judge SC/ST (Prevention of Atrocities) Act, Begusarai whereby, the prayer for bail of the appellant in connection with Begusarai (Muffasil) P.S. Case No. 516 of 2019 registered under sections 376 D, 506 and 34 of the Indian Penal Code and section 3(2)(v) of the SC & ST (Prevention of Atrocities) Act was rejected.

As per allegation in the FIR, it is stated by the informant that as a result of some differences with her mother, she proceeded out and at about 8 p.m. she was offered



by a driver of e-rickshaw that he would drop her home. It is stated that she accompanied him and the said driver committed rape on her. Thereafter, he called his friends and two accused persons reached on a Bolero vehicle and they also committed rape on her. It is stated that she informed the police and soon thereafter the police was able to catch one of the accused, who disclosed his name as Ravindra and the informant identified him on seeing him. He disclosed the names of the other two accused persons. He also disclosed that he is the driver of the Bolero vehicle.

It is submitted by learned counsel for the appellant that the appellant has been falsely implicated in the case. It is further submitted that the appellant was not put on T.I. parade. Further referring to the statement recorded under section 164 Cr.P.C., it is submitted that the informant did not name the appellant herein. The appellant is in custody since more than a year i.e. 17.10.2019 and has no criminal antecedent.

The appeal is opposed by learned Spl. P.P. for the State, who submits that not only the informant identified the appellant, as stated in the FIR, but also in her statement recorded under section 164 Cr.P.C. she made specific allegations against the appellant.



Having heard learned counsel for the parties and taking into consideration the contents of the FIR and the statement recorded under section 164 Cr.P.C., wherein at both places she made specific allegations against the appellant, the Court is not inclined to allow the instant appeal.

The appeal is rejected.

(Partha Sarthy, J)

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