

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 35595 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- TEGHRHA District- Begusarai

Vivek Kumar, aged about 23 years son of late Guddu Jaiswal Resident of
Village- Mohiuddinnagar Tara, P.S.- Mohiuddinnagar, District- Samastipur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Akshansh Ankit, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2021 Heard learned counsel for the petitioner as well as
learned counsel for the State.

The petitioner seeks bail in Teghra Police Station
Case No. 74 of 2020 registered for the offences punishable
under section 366A of the Indian Penal Code.

As per the prosecution case, while the informant and
other family members were not present at the house, this
petitioner is alleged to have come to his house and took away
his Bhagni and in spite of hectic search she could not be traced
out.

It is submitted on behalf of the petitioner that the girl
is major and there is no allegation that this petitioner forcibly
took her away from her house. It is further submitted that the
doctor in the medical report has not found any evidence of



recent sexual assault and the age of the victim has been found to be 17 to 18 years. Petitioner has got no criminal antecedent and he is in custody since 24.3.2020.

Learned counsel for the State opposes the prayer for bail and submits that the victim in her section 164 Cr.P.C. statement has alleged that the petitioner committed rape on her.

In view of the specific allegation against the petitioner, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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