

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6391 of 2021**

Arising Out of PS. Case No.-116 Year-2020 Thana- UJIYARPUR District- Samastipur

Kundan Kumar Rai @Kundan Rai @Kundan Kumar Son of Sunil Kumar Rai
Village- Akaha Vishanpur, P.S.- Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 13-04-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ujiyarpur P.S. Case No. 116 of 2020, registered for the offence under Sections 363, 366, 366A/34 of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith other accused persons, named in the FIR, abducted the daughter of the informant for doing some unlawful act.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and there is no medical report, available on record, in support of the prosecution case. The prosecution case is false and concocted. Petitioner has got clean antecedent and he is in custody since 04.05.2020.

However, learned A.P.P. for the State vehemently



opposed the bail application and submitted that the victim, in her statement recorded under Section 164 of the Cr.P.C., has supported the prosecution case and has made specific allegation against this petitioner that he alongwith two co-accused persons had abducted her on motorcycle and forcibly committed rape upon her and thereafter, several other persons have also committed rape upon her. It is further submitted that the court below has also assessed the age of the victim as 14 years.

Considering the nature and gravity of the offence as well as statement of the victim girl recorded under Section 164 Cr.P.C., the bail application of petitioner is rejected.

(Prabhat Kumar Singh, J.)

anay

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

