

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30562 of 2021

Arising Out of PS. Case No.-93 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

VIKASH KUMAR @ VIKASH KUMAR RAY Son of Haricharan Ray @
Vathu Rai Resident of Village - Bathua Bujurg Sihma, Ward No.14, P.S.-
Musrigharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shankar Singh, Advocate
For the State	:	Mr. Jagdish Prasad, APP
For the Informant	:	Mr. Deepak Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that her daughter disappeared and was seen going with Vikash Kumar on his motorcycle.

It is submitted by learned counsel for the petitioner that there is a delay of 20 days in lodging of the FIR. The daughter of the informant returned after one and half years. In the meantime, she was working elsewhere and was brought back to the State of Bihar for the quarantine period, which would be



evident from the receipt brought on record as Annexure 2 to the petition. The daughter of the informant had eloped with one another person for which the wife of the said person had lodged a case. The petitioner is in custody since 24.12.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the daughter of the informant had returned and her statement was recorded under section 164 Cr.P.C wherein she has made direct allegations of rape against the petitioner and three others.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation including the statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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