

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67207 of 2022

Arising Out of PS. Case No.-403 Year-2022 Thana- RAXAUL District- East Champaran

RAVI BHUSHAN SRIVASTAVA Son of Lakhindra Srivastava R/O Village -
Sugao, P.S.- Sugauli, District - East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Raxaul P.S. Case No. 403 of 2022, registered for the
offences punishable under Section 366 of the Indian Penal
Code.

The daughter of the informant, aged about 20 years,
was working under the petitioner. On the day of occurrence, she
went to her office, but didn't return. The informant came to
know that the petitioner enticed away his daughter with intent to
marry her.

The learned counsel for the petitioner has submitted
that he is innocent. The prosecutrix herself was making pressure
on the petitioner for marriage, to which he was not ready. When
he denied, she falsely implicated him in this case. She along



with her father came to the police and her statement recorded under Section 164 of Cr.P.C. is tutored one. None of the hotel staff was examined. She travelled up-to Delhi alone, without complaining to anyone.

On the other hand, the learned APP has opposed the prayer for bail and submitted that in the statement under Section 164 of the Cr.P.C., the victim has stated that the petitioner had physical relation with her. On the threatening of retrenchment from service, he made a video clip, on the basis whereof, he continued subjecting her to physical relation. He brought her to a hotel situated in front of Areraj Temple and also committed rape upon her.

There is allegation against the petitioner that he subjected the victim to sexual assault. She supported the factum in her statement under Section 164 of the Cr.P.C.

In my view, the petitioner does not deserve the privileges of bail, which is hereby rejected.

If the trial is not concluded within a period of nine months, the petitioner may renew his prayer for bail.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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