

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28103 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- TISIAUTA District- Vaishali

VINAY KUMAR S/o Ravi Shankar Paswan @ Nunu Paswan Resident of
Village- Narikhurd, P.S.- Tisiautta, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 02-05-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 363, 366A/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and his family members kidnapped informant's daughter. Petitioner is alleged to have raped her.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. F.I.R. has been lodged after inordinate delay of 36 days without any explanation which renders the entire prosecution case doubtful. Victim and the petitioner were in love affair. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer



for bail. He submits that the petitioner is named in the FIR with specific allegation that he raped the victim. The victim in her 164 Cr.P.C. statement has supported the prosecution case.

6. Considering the nature and gravity of allegation and the section 164 Cr.P.C. statement of the victim, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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