

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42584 of 2024

Arising Out of PS. Case No.-173 Year-2014 Thana- ARA MUFFSIL District- Bhojpur

Ganesh Kumar Rai @ Ganesh Rai S/o Jugati Rai R/o Village-Jamira, P.S.-Ara
Muffasil, District-Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAS BIHARI RAI S/O CHANARIK RAI Resident of Village-Jamira, P.S.-
Ara Muffasil, District-Bhojpur (Ara).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-07-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Ara Muffasil P.S. Case No. 173 of 2014 for the offence punishable under Sections 366(A), 341, 342, 323, 376(D) of the Indian Penal Code lodged on 13.8.2014 by the informant, Rasbihari Rai.

3. As per the prosecution story, the allegation is that on 20.7.2014, the accused persons enticed her daughter, took her on a motorcycle but could not be ascertained where she was taken, despite, Panchayati, nothing materialized. Later, the victim girl returned and she alleged that the accused persons raped her for eleven days. The accused persons threatened not to



disclose anything failing which will have to face dire consequences. Accordingly, the FIR.

4. It is the case of the petitioner that there is inordinate delay of one month in lodging of the FIR. He had no role to play in the matter and so far as this petitioner is concerned, the allegation of rape is not against him rather the allegation is of threatening to not disclose the entire story.

5. Learned APP on the other hand submits that he delayed the trial by absconding for almost a decade.

6. Considering the fact that the matter is of the year 2014, the petitioner chose to abscond and has come to judicial custody only on 5.4.2024, for the present, this Court is not inclined to extend him the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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