

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74753 of 2024

Arising Out of PS. Case No.-25 Year-2010 Thana- SAKRA District- Muzaffarpur

Deo Narayan Rai @ Deo Narayan Ray S/O Late Baidyanath Rai @
Baidyanath Rai R/O Village-Bishunpur Gidha @ Vishunpur Giddha @
Vishunpur Gidha , P.S.- Maniyari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amod Kumar Srivastav S/O - Sri Umeshwar Prasad R/O - Vill -
Mahammadpur Gokhul P.S. - Sakra Dist - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 21-02-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sakra
P.S. Case No. 25 of 2010 instituted for the offence under
Sections 363, 366(A) of the Indian Penal Code.

3. As per written complaint filed by the informant, his
minor daughter aged about 14 years, had gone to school with
her friend by bicycle on 18.01.2010 but, did not return. In this
regard, the informant also registered Sanha before the Sakra
police station. Later, on 21.01.2010, he came to know that the
petitioner has kidnapped both the girls by way of inducement.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 05-03-2025. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of three days in lodging of the FIR. Petitioner is not even named in the FIR. Name of the petitioner has surfaced during course of investigation. It is submitted that statement of the victim (friend of daughter of informant) under Section 164 of the Cr.P.C. has stated that she wants to marry with co-accused, namely, Majay Ray, so she fled away, thereafter they solemnized marriage with the co-accused. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Victim in her statement recorded under Section 164 of the Cr.P.C. has very categorically narrated the incident and has alleged that petitioner has committed rape upon her seven times.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature and gravity of the offence, coupled with statement of the victim, this Court is not inclined to grant bail to the petitioner. Prayer for



grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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