

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54660 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -MAHILA PS District- AURANGABAD

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1. Chunnu Rajak, Son of Late Naresh Rajak, resident of Village- Madupur,
P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 05-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Mahila P.S.

Case No. 28 of 2017 dated 05.08.2017 instituted for the offence
under Section 376 of the Indian Penal Code.

From the F.I.R., It has been submitted on behalf of the
petitioner that no offence can at all be said to have been made out.
Pushpa Devi/victim has submitted that she was married to
somebody else, but the petitioner kept his contact with her and
always talked to her on mobile phone. On 02.08.2017, taking her
into confidence and on the pretext of showing her a cinema, the
victim was taken near the Sone River and was raped. At that point
of time, the petitioner was caught by the local persons and a video
of such act was made. Ever since thereafter, it has been alleged



that the petitioner has been blackmailing the victim and has been committing rape on her.

Learned counsel for the petitioner has submitted that it does not appear to be probable that the petitioner would be caught by the local persons and then a video of it would be made for the purposes of blackmailing the prosecutrix by him. The dispute appears to be something else. It has further been submitted that the victim was not happy with her marital life and wanted the petitioner to marry her. On refusal, the present case has been lodged.

The petitioner is in custody since 05.08.2017.

Regard being had to the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Mahila P.S. Case No. 28/2017.

(Ashutosh Kumar, J.)

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