

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63889 of 2018

Arising Out of PS. Case No.-495 Year-2018 Thana- NAWADA District- Nawada

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Ajit Kumar Chaudhary, Son of Shashi Bhushan Chaudhary, Resident of
Village- Chaudhary Nagar, P.S.+District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Nayan, Adv.
For the Informant	:	Mr. Vishwa Ranjan Choudhary, Adv.
For the Opposite Party/s	:	Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-11-2018 The petitioner seeks regular bail in connection with

Town (Nawada) P.S. Case No. 495/2018, registered for offences

punishable under Sections 447, 448, 341, 323, 376, 497 and 506

of the Indian Penal Code.

Allegation against petitioner is of committing rape
upon the informant and also taking obscene photographs of her.
On the pretext of getting the photographs viral, he continues to
commit rape upon her.

Submission of learned counsel for the petitioner is
that the police after investigation submitted charge-sheet under
Section 497 of the Indian Penal Code as well as section 67(A) of
the Information Technology Act and found the rape is
consensual. Further submission is that lady is major having 11



years old son and the petitioner is in custody for about three and half months.

Learned A.P.P. and learned counsel for the informant have opposed the prayer for bail submitting that taking advantage of good faith petitioner committed rape upon the informant and the police has submitted charge-sheet under Section 376 and other section of the Indian Penal Code.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Town (Nawada) P.S. Case No. 495/2018, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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