

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19974 of 2019**

Arising Out of PS. Case No.-12 Year-2018 Thana- MAHILA PS District- Darbhanga

Raju Sah @ Raju Kumar Sah @ Raju Son of Binod Sah Resident of Village-
Deokuli Chatti, P.S.- Bahadurpur (Sonki O.P.), District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

5 07-08-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner who is in custody since 23.01.2019 has filed the instant application for grant of bail in connection with Darbhanga Mahila P.S. Case as No. 12 of 2018 registered for the offence punishable under sections 376, 504, 506 and 34 of the Indian Penal Code, section 4/6 of the Prevention of Child From Sexual Offences Act and sections 67, 67(A) and 67(B) of the Information & technology Act.

As per the allegation in the FIR, on the informant's minor daughter visiting her friend, it is stated that her friend's brother who is the petitioner herein took her in his confidence, created inappropriate videos of her and committed rape on her. It is alleged that the illegal act continued on the threat of making the inappropriate videos public by putting the same on Facebook and Whats app.



It is submitted by learned counsel for the petitioner that he is innocent, the allegations levelled against him are false and concocted and he has been falsely implicated in the case by the informant and others in order to save themselves from Darbhanga P.S. Case No. 49 of 2018 lodged by the petitioner's father wherein the petitioner was brutally assaulted.

The application for bail was opposed by learned APP for the State as also learned counsel for the informant submitting that there is direct allegation against the petitioner of having committed rape on the minor daughter of the informant and the same has been supported by the statement of the victim under sections 161 and 164 of the Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the fact that there is direct allegation against the petitioner which is supported by the informant's minor daughter in course of investigation, the Court is not inclined to grant bail to the petitioner and accordingly, the application for bail is rejected. However, if so advised the petitioner may renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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