

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15685 of 2019

Arising Out of PS. Case No.-428 Year-2018 Thana- GAYA MUFASIL District- Gaya

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Ankit Kumar @ Amit Kumar Son of Ranjeet Singh, Resident of Village
Kolhana, P.S.- Wazirganj, District Gaya. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
: Mr. Pravin Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-03-2019 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks regular bail in connection with Muffasil PS case no. 428 of 2018 registered for the offence punishable under Sections 323, 504, 509, 387, 406, 376 of Indian Penal Code and 67, 67(A), 67(B) of Information Technology Act.

The allegation levelled by the informant, who is stated to be working as an Associate Professor at Swami Raghvendracharya Tridandi Ayurved College and Hospital, Karjara, is that the petitioner herein has been hoodwinking the informant since past one year on the pretext that he has been selected for appointment as I.A.S. and in the process, has been extracting money from the informant and sexually abusing her. It has further been alleged by the informant that subsequently,



the petitioner had taken the informant to Delhi and has also snapped her photographs which could be used for blackmailing her. The informant has also stated in the F.I.R. that subsequently, she came to know about the reality of the petitioner to the effect that he was having illicit relationships with many girls and had promised to marry them as well as had told them that he has qualified in the I.A.S. examination. Lastly, it has been alleged that the petitioner had threatened her by showing her personal photographs and told her that he would blackmail her and had also assaulted her.

The learned counsel for the petitioner has submitted that the entire allegations levelled by the informant herein are false and malafide and the fact is that the informant is an adult lady and is working as an Associate Professor as well as it is she who had tried to blackmail the petitioner with the motive of pressurizing the petitioner to marry her although she is a married lady and has not been divorced from her existing husband. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 11.12.2018. Lastly, it is submitted that at best the present case can be said to be a case of consensual sex



between both the parties who are adults and are capable of exercising their independent prudent mind as to what is right and what is wrong. The learned counsel for the petitioner has referred to a judgment rendered by the Hon'ble Apex Court in the case of *Dr. Dhruvaram Murlidhar Sonar v. State of Maharashtra and others* reported in *2018 SCC Online SC 3100*.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Mufassil PS case no. 428 of 2018.

(Mohit Kumar Shah, J)

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