

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78465 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- MAHILA P.S. District- Bhojpur

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Mukul Singh, S/o Denesh Singh, Resident of Mohalla - Shakti Nagar P.S.
Chapra, Muffasil, Distt-Saran at Chapra Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. Chandra Bhushan Prasad
For the informant : Mr. Ataul Haque

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 07-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bhojpur Mahila P.S. Case No.118/18 registered for the offence punishable under Sections 376(d), 313, 386, 120B and 115 of the Indian Penal Code.

Informant has alleged that one year before while she was coming from coaching, she got thirsty and went to the shop of Bholu Singh to drink cold drink. Thereafter, Bholu Singh gave her cold drink and she became senseless. When she became conscious, she found herself on the roof of the shop of the Bholu Singh. It has further been alleged that F.I.R. named accused including the petitioner made obscene video of the informant. Thereafter, they made physical relation with her time and again. After some time, they send the video on her mobile and asked her to give Rs.10,000/- otherwise, they threatened to



viral the video. She got scared and gave the said amount to the accused persons. Thereafter, they continuously asked her to give money and she used to give her due to the fear that they would viral her obscene video.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. During investigation, it has come that informant had intimate relations with accused Bholu Singh and he visited the house of informant and their parents were also aware of such relation. Petitioner was made accused only because of being friend of Bholu Singh. Petitioner is in custody since 07.09.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that the petitioner named above be released on bail **after framing of charges against him** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur, Ara in connection with Bhojpur Mahila P.S. Case



No.118/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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