

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48916 of 2019**

Arising Out of PS. Case No.-21 Year-2019 Thana- MAHILA P.S. District- Samastipur

SHAD AHMAD @ MD. SHAD AHMAD Son of Masrur Ahmad Resident of  
Rural Institute Birauli, Pusa, P.S.- Pusa, District- Samastipur... .. Petitioner  
Versus

The State of Bihar ... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Suraj Narain Yadav, Advocate  
For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      16-11-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner in the present case is seeking anticipatory  
bail in connection with Mahila P.S. Case No. 21 of 2019 registered  
for the offences punishable under Sections 323, 34, 341, 376, 384,  
504 of the Indian Penal Code and Sections 67 & 67 (A) of the  
Information Technology Act.

Learned counsel for the petitioner submits that the  
petitioner is a member of Bihar State Ball Badminton Association  
and also politically active person. It is submitted that the petitioner  
has been falsely implicated in this case and the allegation that he  
had allured the informant and had committed rape on her by taking  
her to the premises of the quarter belonging to his father is totally  
false.

On the other hand, learned APP for the State submits  
that the victim lady has specifically alleged that on the pretext of



marriage this petitioner developed relationship with her and one day she was taken to the quarter of his father where she was forcibly raped and the petitioner made a video of the said rape. Thereafter, when the petitioner again wanted to establish physical relationship with the informant, she denied but at this point of time the petitioner started blackmailing her by showing the video and the photograph and he also threatened to make the same viral. It is further submitted that victim lady in her statement under Section 164 Cr.P.C. has supported the allegation once again.

In the given facts and circumstances of the case where there is specific allegation of committing rape forcibly and alluring by this petitioner and thereafter, making video of the said rape and threat given to the informant to make the same viral, in the nature of allegation, this Court is not inclined to extend privilege of anticipatory bail to the petitioner.

In case, the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

**(Rajeev Ranjan Prasad, J)**

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