

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86205 of 2019**

Arising Out of PS. Case No.-257 Year-2018 Thana- RAMGARHWA District- East
Champaran

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RAJA KUMAR @ RAJA KUMAR GUPTA, Son of Anil Prasad Resident of
Village - Bhaluwahia, P.S.- Ramgarhwa, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 19-03-2020 Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor for the State.

Petitioner is in custody since 13.09.2019 and seeks
bail in connection with Ramgarhwa P. S. Case No.257 of 2018
registered for the offences punishable under Sections 292, 293,
294, 306, 376, 511, 354, 354(A), 406, 506, 509/34 of the I.P.C.
and Sections 43(A), 66, 67B of the I.T. Act, 2008.

The written report of informant reflects that the victim
was initially a consenting party, but subsequently, when
petitioner allegedly took obscene photographs of the victim and
started blackmailing the victim as well as her other family
members, the relation of the victim with petitioner became
atrocious.



Learned counsel appearing for the petitioner submits that the materials collected during course of investigation goes to show that there was love affair between the petitioner and victim, but subsequently, the relation became strained and moreover, the allegation of attempt to rape is not substantiated by any evidence, because the victim has admitted that she herself had gone in a hotel to meet the petitioner.

Petitioner is in jail custody since long and the investigation against him has already been completed.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Ramgarhwa P. S. Case No.257 of 2018.

However, it is made clear that if petitioner makes any attempt to terrorize the prosecution witnesses, the informant/ prosecution shall be at liberty to file petition before the concerned Court for cancellation of bail of the petitioner and if any petition is filed on behalf of informant/ prosecution for cancellation of bail of the petitioner, the concerned Court shall



pass appropriate order on the said petition after making due and proper inquiry.

(Hemant Kumar Srivastava, J)

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