

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85276 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- MAHILA P.S. District- Rohtas

Rahul Singh @ Rahul Kumar Singh, aged about 24 years, Male, S/o Arvind Singh, R/o village- Khanethi, P.S.- Sonhan, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-08-2020 Heard Mr. Mithilesh Kumar Singh, the learned counsel appearing on behalf of the petitioner and Mr. Satyendra Prasad, the learned Additional P.P.

The petitioner apprehends his arrest in Mahila P.S. Case No.43 of 2019, registered under Sections 376, 504, 506 and 34 of the Indian Penal Code and 66(E)/67(A) of the I.T. Act.

The informant alleged that 8-9 months before in October 2018, Rahul Singh sent friend request on her mobile. Rahul Singh used to call her and he allured her and also threatened her to come to Dihri railway station. She went to Dihri railway station and he took some joint selfie. Rahul Singh started black mailing her by saying that he would put the joint selfie on the Facebook and on such threat, Rahul Singh established repeated physical relation with her. She further alleged that Rahul Singh



took her to Mumbai at the residence of his relative Anand Singh. They lived there and also Rahul Singh sexually exploited her. She further alleged that Rahul Singh used to threaten her to put her photographs on Facebook.

Learned counsel for the petitioner submits that the informant is an adult lady. She is married with Pintu Singh and she got two children from her wedlock with Pintu Singh. She fell in love with the petitioner and she voluntarily left her house. During the course of investigation it has come that her husband also disclosed that his wife eloped with her lover. During the course of investigation almost all the witnesses have stated that the informant was married ten years ago with Pintu Singh but she left the house of Pintu Singh and fled away with her lover, therefore, the petitioner deserves anticipatory bail.

The learned Additional P.P. opposed the prayer for anticipatory bail.

It appears from the records that the victim is a married lady and she got two children from her wedlock. There appears no coercion and she appears to left her matrimonial house voluntarily and went along with the petitioner but she returned from Mumbai she lodged the case making allegation of coercion and threat but she never raised any alarm either while she was going along with the petitioner to Mumbai or moving around with the petitioner.



Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri, District Rohtas in connection with Mahila P.S. Case No.43 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

