

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22179 of 2021

Arising Out of PS. Case No.-64 Year-2020 Thana- MAHILA P.S. District- Madhubani

Mallik Kumar Yadav S/O Nasib Yadav R/O Village- Paharpur Sakra, P.S.-
SIMRI Bkhatiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 376 of the Indian Penal Code and section 66(D) of the I.T. Act.

As per the prosecution case, the petitioner who was senior to the informant in the job is stated to have invited the informant to his room where he lived with his friend. It is stated that as a result of the drink given by him the informant fell unconscious. On regaining consciousness the petitioner was misbehaving with her. He thereafter started to call her stating that he would make the objectionable photographs and videos of her viral on the social media. The petitioner committed rape on her and continued to blackmail her.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. From the contents of the F.I.R. itself it transpired that both the petitioner as well as informant are major and this was a case of live in relationship having gone wrong. There is an unexplained delay of three months in lodging of the F.I.R. and there had been no complaint in the past. The petitioner is in custody since 29.9.2020 and has no criminal antecedent.

The prayer for bail of the petitioner is opposed by learned A.P.P. for the State who submits that the allegations in the F.I.R. have been supported by the witnesses in course of investigation.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the nature of allegation against the petitioner and the contents of the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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