

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20815 of 2020**

Arising Out of PS. Case No.-9 Year-2019 Thana- MAHILA P.S. District- Patna

VICKY KUMAR Son of Sanjit Singh Resident of Village-Daulatpur, P.S.-  
Gaurichak, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.  
For the State : Mr. Ashok Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      05-01-2021      Heard the learned counsel for the petitioner  
and the learned APP for the State.

The petitioner seeks regular bail in connection  
with Mahila P.S. Case No. 9 of 2019, registered for  
the offence punishable under Sections 376, 420,  
468, 471, 379, 506/34 of the Indian Penal Code and  
Sections 65/66 of the I.T. Act.

The allegation is regarding the petitioner  
having raped the victim lady and thereafter, he  
is alleged to have filmed the entire sequence  
and made a video as also had threatened the  
victim lady of making the said video viral in  
case, she did not allow him to establish physical



relationship with her regularly.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 16.03.2020. It is further submitted that the petitioner has got no role in the alleged occurrence and in fact, the victim lady was having a consensual sexual relationship with the petitioner inasmuch as the victim lady had never objected to the said relationship with the petitioner, which was going on since a very long time and only when her husband had detected their relationship, the present false case has been lodged.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available in the case diary as also considering the statement made by the victim lady under Section



164 Cr.P.C. before the learned Magistrate, apart from the fact that the obscene messages sent by the petitioner to the victim lady are sickening and shockingly vulgar, this Court finds that the petitioner is definitely having complicity in the matter and is alleged to have committed a heinous crime of rape and moreover, he has also been threatening the victim lady of making her obscene video viral, thus, I do not find the present case to be a fit case for grant of bail to the petitioner, hence, the present petition stands dismissed.

**(Mohit Kumar Shah, J)**

Ajay/-

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