

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11980 of 2022

Arising Out of PS. Case No.-297 Year-2021 Thana- MANIYARI District- Muzaffarpur

CHANDAN KUMAR SHARMA Son of Late Surendra Sharma Resident of
Village- Kaili Tanr, P.S.- Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the State : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 354B and 506 of the Indian Penal Code and section 67 of the I.T. Act

As per the prosecution case, it is stated by the informant that the informant was having an affair with the petitioner when the petitioner forcibly established physical relations with her. She further states that he made some objectionable video recordings in his mobile phone and started to threaten her that he would make the same viral on the social media. The informant further states that even after her marriage, the petitioner continued to threaten her about making the photographs viral and also sent some of them to her husband and father-in-law.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the FIR itself it would transpire that there was an affair between the parties and subsequently in one of the occurrences the petitioner was brutally assaulted by the informant and the members of her in-laws and only to set up the petitioner, this FIR with false allegations was registered. The petitioner is in custody since 13.9.2021 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State who submits that the informant has supported her allegations in her statement under section 164 Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the materials that has transpired in course of investigation including her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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