

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27169 of 2021**

Arising Out of PS. Case No.-18 Year-2020 Thana- MAHILA PS District- Jamui

CHANDRAMANI KUMAR, aged about 35 years (Male), Son Of Sidheshwar Prasad, Resident of Village - Dalelchak, P.S.- Belaganj, Distt.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 07-02-2022 Due to the third wave of COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in connection



with Mahila P.S. Case No. 18 of 2020 for the offence registered under Sections 493, 376, 506/34 of the I.P.C. and 67 of the I.T. Act.

The prosecution story, in brief, is that the informant and the petitioner were working together in Sikandra Block. During their interaction as colleagues, the petitioner started showing affinity towards the informant. He also promised to marry her. In January, 2016, the petitioner forcefully established physical relationship with the informant and repeated his promise to marry her. Thereafter, they had physical relationships on many occasions. In January, 2018, the informant came to know that the petitioner was already married and even has children. She tried to come out of the relationship but the petitioner kept on physically exploiting her on the threat of making her videos and photographs viral. The informant did not tell any one because of shame. The informant was married to another person on 26.02.20 but the petitioner kept on calling her and also her husband. He sent objectionable photographs and obscene videos of the informant to her husband. He also hacked the Facebook of the informant and posted her obscene videos and photographs.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner was in physical relationship with the victim on the pretext of marriage since 2016 but for one reason or the other the marriage could not be solemnized. It was consensual relationship between the parties.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. From perusal of the order of learned A.D.J.-I, Jamui, it appears that subsequently the victim also got married to someone else. Thereafter, the petitioner with ulterior motive got her objectionable photographs uploaded on the Facebook through his mobile with an intention to defame the victim. Such a conduct on the part of the petitioner was only to ruin marital life of the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in connection with Mahila P.S. Case No. 18 of 2020, pending in the court of learned S.D.J.M. Jamui.

If the petitioner surrenders in the learned court below and prays for regular bail, the same shall be considered by the



learned court below on its own merit without being prejudiced
by this order of the Court.

(Sudhir Singh, J)

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