

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42686 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- PAROO District- Muzaffarpur

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RANJESH PANDIT S/O DHANAI PANDIT R/O VILLAGE-
BHIKHANPURA, FANDA, P.S-PAROO, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 09-03-2022 Heard learned counsel appearing on behalf of the

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

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Paroo P.S. Case No. 44 of 2021, for the offence punishable
under Sections 376 and 506 of the Indian Penal Code and
Section 66(D) of the I.T. Act.

The prosecution case, in brief, is that on the way to
hospital, informant first met with the petitioner, thereafter,
petitioner took her to his room and raped her and he also clicked
her pictures send her obscene photographs to her husband and
daughter and also threatened to upload the picture on social
media.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that informant refused to undergo for medical examination for confirmation of allegation of rape. He further submits that in course of investigation, the I.O of this case could not brought any photographs on the record in the case diary. The petitioner is in custody since 13.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the informant has refused to undergo for medical examination to confirm the allegation of rape as well as the material, which has come in course of investigation, there is nothing incriminating material to implicate the present petitioner that after committing rape, photograph or video has been widely circulated in mass as well as on the social media. In absence of the same, prima facie the petitioner has made out a case to be released on bail. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-III,



West Muzaffarpur in connection with Paroo P.S. Case No. 44 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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