

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45459 of 2021**

Arising Out of PS. Case No.-30 Year-2020 Thana- MAHILA PS District- Jehanabad

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Rahul Kumar S/o Patiram Bind R/o Bichali Gali Shakurabad, P.S.-  
Shakurabad, Distt- Jehanabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Uma Shankar Sharma

For the Opposite Party/s : Mr.Parmanand Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

5      23-02-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Jehanabad Mahila P.S. Case No. 30 of 2020 registered for the offences punishable under Sections 376, 504, 506/34 of the Indian Penal Code and Section 66(C), 66(D) of I.T. Act.

According to prosecution case, the informant submitted his written application before the S.H.O. alleging therein that co-accused Vikash Kumar had called him on his mobile phone and threatened him that if, he got his sister Shivani Kumari married to anyone then, he would make her



naked video viral and would throw acid on her face. It is alleged that when the informant asked his sisters about the said call, then he discovered that co-accused, his brother-in-law and the petitioner had been continuously sexually exploiting both his sisters for more than four years. It is further alleged that victims revealed that co-accused used to live with his family members on the upper floor of the same building where the informant's family resided and hence, they were in visiting terms with informant's family. Owing to this proximity, co-accused had developed physical relationship with the informant's sisters and started exploiting them after capturing their naked videos at gunpoint. Once, the co-accused Vikash Kumar had taken the victim to his village and introduced her to his parents and also took her to his sister's house where he tried to make physical relationship with her and when she protested, co-accused and his family members assaulted the victim Shivani Kumari.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the allegation against the petitioner is that the petitioner is the friend of co-accused namely Vikash Kumar. He further submits that the petitioner has visiting terms with co-



accused Vikash Kumar hence, the name of the petitioner has falsely been implicated in the present case. He further submits that petitioner never established any physical relation with the victim girl. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.05.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 414 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the



evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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