

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9009 of 2023**

Arising Out of PS. Case No.-60 Year-2022 Thana- MAHILA PS District- Gaya

Aatish Ray @ Gagan Raj Son Of Bindeshwari Prasad @ Bindeshwar Paswan
R/V- Akurhawan P.S- Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 31-07-2023 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376, 504, 506/34 of the Indian Penal Code, Section 6 of the POCSO Act and Sections 67, 67(A) of the I.T. Act.

It is alleged against the petitioner that being teacher of the informant, he hypnotized the informant and established physical relationship with the informant 15-20 times, made obscene video and got the video of the informant viral on social media.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner and the informant were having love affairs and she was consented with the petitioner in establishment of physical relationship and when some dispute arose, she has filed the present case against the petitioner. The victim in her 164 Cr.P.C statement has also stated that in the year 2018, the petitioner established physical relationship but the F.I.R has been lodged in the year 2022 which suggests that with oblique motive, this false case has been lodged against the petitioner. The medical report of the victim suggests her age between 18-19 years. The petitioner is languishing in custody since 28.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned A.P.P for the State have vehemently opposed the prayer for bail of the petitioner



and submitted that at the time of lodging of the present case the victim was 17 years of age. It is the specific case of the informant that petitioner allured the informant and established physical relationship with the informant.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge-POCSO Court-cum-District & Sessions Judge, Gaya in connection with Mahila P.S. Case No. 60 of 2022.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

