

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18342 of 2023

Arising Out of PS. Case No.-455 Year-2022 Thana- NARPATGANJ District- Araria

SHRAVAN KUMAR MANDAL @ SHRAVAN KUMAR SON OF BINOD
MANDAL R/O VILLAGE- YOGIPUR, WARD NO.12, P.S.-
NARPATGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

1. The State of Bihar
2. ANJU KUMARI D/O LATE CHANDU MANDAL R/O VILLAGE-
KOCHA GAMA WARD NO.18, SONAPUR, P.S.- NARPATGANJ
(BATHNAHA), DISTRICT- ARARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Sections 376 IPC, Section 67 of the I.T. Act and Section 4 of the
POCSO Act.

As per allegation in the FIR, informant was in talking
term with the petitioner as both are in love for the last three
months. On the pretext of marriage, petitioner sexually
exploited her without her consent. Petitioner took her
objectionable photographs and started blackmailing her to grab
the money. On refusal, petitioner along with co-accused Vishal



Kumar made her photos viral on social media on 12.10.2022.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Victim was medically examined by the doctor who has categorically opined that there is no evidence of fresh assault and assessed her age between 18-20 years. Medical report has not supported the prosecution story. There was love affair between the petitioner and the informant and petitioner had established consensual relationship with the informant. Petitioner has got no criminal history and languishing in judicial custody since 22.12.2022.

Learned APP appearing for the State and learned counsel for the informant have submitted that petitioner is named in the FIR. Informant has made specific allegation against the petitioner of committing rape since last two years in her statement recorded u/s 164 Cr.P.C. At the time of occurrence, victim was a minor. During investigation, several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.



The trial court is directed to expedite and conclude
the trial.

(Sunil Kumar Panwar, J)

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