

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21488 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- NAUHATTA District- Saharsa

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SANTOSH KUMAR YADAV @ SANTOSH KUMAR @ SANTOSH
YADAV Son of Ram Bahadur Yadav Resident of Village - Shahpur, P.S.-
Nauhatta, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Nauhatta P.S. Case No. 84 of 2021 registered for the offences

punishable under Sections 376, 313, 504, 506 of the Indian

Penal Code AND Section 66(C)(D) 67, 67(A) of IT Act..

As per prosecution case, the petitioner committed

rape upon the victim and took her nude photos and also made

video. It is further alleged that the petitioner threatened the

victim to kill her and her brother and also threatened to make

the video viral if she disclosed the same to anyone. It is further



alleged that the petitioner continued committing rape with the victim and the victim got pregnant. It is further alleged that the petitioner forcibly aborted the victim and uploaded her video and photo on social media.

Learned counsel for the petitioner submits that petitioner is in custody since 01.07.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. He further submits that there is a love affair going on between the petitioner and informant.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner and the same is supported by the statement of victim recorded under Section 164 of Cr.P.C.

Considering the facts and circumstances of the case, nature of accusation, coupled with statement of victim recorded under Section 164 of the Cr.P.C., I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, if there is no substantial progress in trial within nine months from the date of receipt of this order, the



petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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