

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29093 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- ANDHRAMATH District- Madhubani

KAMLESH KUMAR PANDIT SON OF SANJAY KUMAR PANDIT R/O
VILLAGE- GAMHARIA, P.S.- MARAUNA, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

Let the defect(s), if any, be removed within a period
of four weeks from today.

This application is filed for grant of regular bail in
connection with Andhramath P.S. Case No. 73 of 2022
registered under section 376, 354© and 506 of the Indian Penal
Code and under Section 4 and 6 of the POCSO Act.

The prosecution story is short is that one Kamlesh
Kumar established physical relation with informant's daughter
for the last one year. Kamlesh Kumar was already married. He
used to blackmail the daughter of the informant alleging that he
will make public all intimate photos on social media platform
and used to demand money from the informant.



Mr. Yogesh Chandra Verma, Senior advocate vehemently argued that the present case is a case of consensual sex and therefore, the petitioner deserves bail. He has taken this Court to the statement of victim girl recorded under Section 164 of the Cr.P.C. and has tried to impress upon this Court that from reading the statement of the girl it appears that it is a case of consensual sex.

Learned APP for the State has opposed the bail application of the petitioner and submits that this case is of very serious nature.

I have considered the submission of both the sides. From the F.I.R. and the Statement of the victim girl recorded under Section 164 Cr.P.C. it appears that the petitioner had sexually exploited a minor girl and after the petitioner got married he again tried to blackmail the victim by threatening her to make the photographs of their intimate moments viral.

In my opinion, this petitioner does not deserves bail. Accordingly, this application for regular bail stands dismissed.

(Sandeep Kumar, J)

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