

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38813 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- PARAIYA District- Gaya

SUNIL KUMAR Son of Chandeshwar Saw Resident of Village - Dakhner,
P.S.- Paraiya, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi Wife of Upendra Saw Resident of Village - Dakhner, P.S.-
Paraiya, District - Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks regular bail in connection with
Paraiya P.S. Case No. 97 of 2022 registered for the offence
under Sections 376 of Indian Penal Code and Section 67D, 67E
of the I.T. Act.

The prosecution story is that when the informant was
alone at house, the petitioner entered her house and committed
rape her and also take some obscene pictures. It is further alleged
that the petitioner also wanted to make physical relation in Holi
in the year of 2022 but the informant denied due to which he
made viral her obscene pictures on a fake I.D of her husband.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para 3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the informant is a major and mature mind lady and there is love affairs between the petitioner and the informant. They also used to talk each other and connected with mobile phones and this facts corroborates vide Annexure-2 of this petition. Petitioner is languishing in judicial custody since 19.4.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paraiya P.S. Case No. 97 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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