

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38012 of 2023

Arising Out of PS. Case No.-528 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

CHANDAN KUMAR Son of Yugal Saw Resident of village - Khajepura
(Khojpura), P.S. - Telhara, Distt. - Nalanda. At present R/o village - Telhara,
P.S. - Telhara, Distt. - Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pinki Kumari Wife Of Rahul Kumar R/O Village - Shafipur, P.S. -
Khursurpur, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajiva Ranjan, Adv Mr. Dheeraj Kumar, Adv
For the State	:	Mr. Pranav Kumar, APP
For the Complainant	:	Mr. Sambhu Singh, Adv

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 376, 384, 307, 504, 506/34 of the Indian Penal Code and Section 66A of the I.T. Act in which cognizance U/s 323, 341, 354, 354A, 354C, 504 and 506 of the IPC has been taken by the learned Judicial Magistrate 1st Class, Patna City.

3. As per the prosecution case, it is alleged that earlier informant's marriage was fixed with the petitioner, due to which she meet him and one day petitioner raped her and made her video, and now petitioner sent the same video to her husband and harassing her.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the allegations under the complaint petition are not reliable and highly absurd as well as convincing and the same is tainted with malafide intention. Alleged video clip was not brought on record. He further submits that the complaint petition was filed under Sections of IPC and I.T. Act, but the learned Court below has not taken cognizance under Sections of I.T. Act. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in



connection with Complaint Case No. 528 of 2022, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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