

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57976 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

Raushan Kumar, male, aged about 22 years, Son of Devendra Thakur,
Resident of Village- Bangara, Ps- Deoriya, Distt- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sagar Kumar, Advocate
For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sahebganj P.S. Case No. 37 of 2023 dated 29.01.2023, instituted
for the offence punishable under Sections 376 & 506 of the
Indian Penal Code and 67(c) of the I.T. Act.

3. The prosecution case, in short, is that in the year of
2019, a *Janeu* ceremony was organised at her uncle's house
where the petitioner came for photography of the ceremony. It is
further alleged that when the informant went to washroom, the
petitioner took some objectionable photographs of the informant
and after six months, he tried to blackmailing and raped her and
threatened that he will make viral her objectionable
photographs. It is further alleged that the petitioner made



pressure on the informant to establish relation with his friends and if she did not do so, he will make viral the objectionable photos. Further, it is submitted that the petitioner demanded Rs. 65,000/-. Thereafter, she lodged the F.I.R. against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The entire allegations levelled against the petitioner is false and concocted. It is further submitted that the informant had taken loan of different amounts on different dates from 18.08.2022 to 02.01.2023 and when the petitioner demanded the said money, she avoided to return the said amount and she chose to lodge the present case with the intention to grab the loan amount. It is also submitted that the informant is a major aged about 19 years 2 months 10 days. From perusal of the paragraph 33 of the case diary, it reveals that the informant was served notice through *Chawkidar* to produce her mobile on which the objectionable photographs were made viral but the *Chawkidar*, gave his statement at paragraph no. 34 of the case diary that the victim refused to receive the notice. Further, regular compromise petition under the signatures of both the parties and their respective advocates along with petition for according permission to compromise has been filed in the learned court



below. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sahebganj P.S. Case No. 37 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Muzaffarpur (West) subject to conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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