

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57628 of 2023

Arising Out of PS. Case No.-244 Year-2023 Thana- CHHATAUNI District- East Champaran

Nishant Raj @ Nishant Reza Son of Lt Raj Babu @ Md. Motiur Rahman R/o vill - Chaklalu, Chhota Mohallah, P.S. - Mehshi, Distt. - East Champaran, Present address - Plat No. 60 2nd Ta, Siddiqui Pahalwan Marg neat Belal Masjid N.H. 28, Rajendr Nagar, P.S. - Town Motihari, Distt. - East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 29.05.2023 in connection with Chhatauni P.S. Case No. 244 of 2023, F.I.R. dated 28.05.2023 for the offences punishable under Sections 376, 386, 420 and 506 of the Indian Penal Code along with Section 67/67 (A) of the I.T. Act.

3. According to prosecution case, the petitioner is alleged to have threatened the family members of the informant and on false promise, he made physical/sexual relationship with the daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and he has committed rape upon the victim and prepared video and photographs of the informant in an obscene position and demanded Rs. 500000/- from the informant, else he will make the videos viral. He further submits that it appears from the F.I.R., that there is serious allegation against the petitioner and the statement of the informant as well as daughter-in-law of the victim was recorded under Section 164 of the Cr.P.C., in which both the informant as well as daughter-in-law have fully supported the prosecution version of the case.

6. In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection Chhatauni P.S. Case No. 244 of 2023 pending in the court of learned Chief Judicial Magistrate, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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