

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55779 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- MAHILA P.S. District- Patna

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Ravi Ranjan Son Of Sudhir Pandey @ Shudhir Kumar Pandey R/O Hilsa
Chamrbigha, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Manoj Kumar Pandey, Advocate. Mr. Kumar Rajdeep, Advocate.
For the Opposite Party/s :		Mr. Choubey Jawahar, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 16-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. N.K. Agrawal, learned senior counsel along with Mr. Manoj Kumar Pandey and Mr. Kumar Rajdeep, learned counsels for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Mahila P.S. Case No. 54 of 2022, registered for the offences punishable under Sections 376, 328, 506, 509 of the Indian Penal Code and Sections 66E, 67 of the Information



Technology Act.

The prosecution case is based on a written report of the informant alleging therein that the petitioner, who happens to be relative of the informant, were in good relationship and in the year 2017 on the pretext of marriage, the petitioner established physical relationship, though he was already married. It is further alleged that during their relationship, petitioner obtained some obscene photographs and on the basis thereof, he started blackmailing the informant and continued physical relationship for long. When the informant came to know that the petitioner is a married person, she refused to continue the relationship, thereafter, the petitioner created a fake account in social media and made her photographs viral. Apart from the aforesaid allegation, it is also alleged that the petitioner forcibly entered in her house and tried to kill her and also threaten all her family members with dire consequences.

Learned senior counsel appearing on behalf of the petitioner vehemently submits that from the FIR and the materials available on record, it is evident that both the petitioner and the informant were in good relationship since 2017, as is evident from the various photographs brought on record by way of Annexure -2 series. He further submits that



admittedly the occurrence is of the year 2017, but surprisingly the FIR has been instituted after a delay of five years and in fact the petitioner is the brother-in-law of her elder sister and the informant knew everything about the petitioner. He next submits that the informant is a major girl, aged about 26 years and the relationship was consensual relationship and the photographs which was posted in the social media was with the consent of the informant, however, on account of some oblique reasons this FIR has been instituted with a view to harass and maligned the prestige of the family of the petitioner. While concluding his submission, he lastly submits that the petitioner having fair antecedent, is in custody for over a period of nine months, moreover the investigation of the crime is already complete and the charge-sheet has been submitted.

On the other hand learned APP for the State vehemently opposes the bail application and drawn the attention of this Court to the statement of the victim recorded under Section 164 of Cr.P.C. and submitted that serious allegation has been leveled against the petitioner that on the basis of obscene photographs, he established physical relationship and continued for a long time and when the same has been refused by the informant, the photographs have been made viral for tarnishing



the image of the informant.

Regard being had to the submissions made on behalf of the parties and considering the materials available on record as contained in Annexure-2 series it appears that there was a long and good/relationship between the petitioner and the informant since 2017 and this FIR has been instituted in the year 2022 and even in the year 2017 she was a major, coupled with the fair antecedent of the petitioner and period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of Mr. Suman Kant Jha, learned Judicial Magistrate-I, Barh, Patna in connection with Mahila P.S. Case No. 54 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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