

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59610 of 2023

Arising Out of PS. Case No.-431 Year-2023 Thana- SONEPUR District- Saran

Nitish Kumar Son Of Dineshwar Prasad Rai Village- Kharika, Pahleja, Ps-
Sonpur, Dist- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Shweta
	:	Mr. Pranjal Kumar
For the Opposite Party/s	:	Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 323, 376, 504, 506 of the Indian Penal Code and Sections 66(E), 67, 67(A), 67(B) of the I.T. Act.

3. As per prosecution case, the petitioner is alleged to have established physical relation with the victim/informant and also threatened her to make viral her objectionable photograph and video.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. From perusal of FIR as well as statement of victim recorded u/s



164 of the Cr.P.C., it appears that there is friendly relation between the victim and the petitioner. It is also submitted vide para-8 of the petition that there is also no evidence on record which suggests that the petitioner pressurized the victim to go with him. The medical report of the victim has also not corroborated the prosecution allegation wherein, doctor opined that there is no sign of any recent sexual intercourse. The victim girl is major who stated her age about 21 years. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 2.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sonpur P.S. Case No. 431 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Chapra.

(Sunil Kumar Panwar, J)

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