

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59791 of 2023**

Arising Out of PS. Case No.-221 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

DEEPAK KUMAR, S/O LATE AMBIKA PRASAD, R/O NEAR ROYAL  
RESIDENCY, MAHUBAD, P.O AND P.S- BODH GAYA, DISTT.- GAYA.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Y. V. Giri, Sr. Advocate and Mr. Pranav Kumar,  
Advocate

For the Opposite Party : Mr. Ram Sevak Choudhary, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      27-09-2023      Learned counsel for the petitioner is permitted to  
  
remove the defect(s), as pointed out by the office, if any,  
  
within a period of three weeks from today.

2. Heard learned senior counsel for the petitioner  
and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in  
connection with Magadh University P.S. Case No. 221 of  
2023 dated 30.06.2023 registered for the offences  
punishable under Sections 376/506 of the Indian Penal  
Code.

4. As per the prosecution case, the petitioner is the  
Chairman of a foreign funded NGO known as 'People First



Educational Charitable Trust' (PFECT). The informant further alleged that the petitioner has blackmailed, exploited and assaulted her. The petitioner has been committing rape on her forcibly since 2017. He has clicked her nude pictures and threatened to release the said pictures in public and also threatened to kill her family members.

5. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that in the entire F.I.R., the informant has not mentioned a plausible explanation with respect of registering of the present case in the year 2023 as to when the alleged incident took place in the year 2017 after a delay of six years. It is further submitted that there is a serious contradiction in the F.I.R., statement recorded under Section 164 Cr.P.C. and the restatement made before the police with respect to the date of occurrence and the manner of occurrence. It is further submitted that as per Annexure-2, an agreement dated 30.09.2019 signed by the petitioner and the husband of the victim shows that the husband of the victim had lent Rs. 10 Lacs from the petitioner. When the



said amount was demanded by the petitioner, this false case has been lodged by the victim. There is no statutory compliance of Sections 164A and 53A of Cr.P.C. The offence is alleged to be started in the year 2017. The petitioner has been made accused in one case bearing Bodh Gaya P.S. Case No. 434 of 2019 in which he was granted anticipatory bail.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Magadh University P.S. Case No. 221 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition-

(i) The petitioner is directed to remain physically present before the learned Court



below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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