

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62298 of 2023

Arising Out of PS. Case No.-442 Year-2022 Thana- KOTWALI District- Munger

Sanjeev Kumar @ Amit Kumar Son Of Naresh Mandal Resident Of Mohalla
Mogal Bazar, Basudevpur, Ps Kotwali, Distt. - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 385, 387, 504, 506/34 of the Indian Penal Code and section 376 of the Indian Penal Code.

3. As per allegation in the FIR, daughter of the informant was married to Ved Prakash. Petitioner used to harass the daughter of the informant and threatened her that he will spoil her married life as to why she had not performed marriage with him. He has posted obscene photographs of her daughter on social media with a view to tarnish her image on society.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR has been lodged after a delay of four years. Allegedly, threatening was given to informant's daughter but surprisingly, she has not given any complain to lodge an FIR. Section 376 IPC and Section 77(e) of the IT Act were added after six months of lodging the FIR on 8.9.2022. Her statement was recorded u/s 164 Cr.P.C. in which she has accepted that she was in talking term with the petitioner. It is a case of consensual relationship. Victim is a major lady of 25 years which is apparent from deposition form. Petitioner has got no criminal antecedent and languishing in judicial custody since 3.4.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction



of the learned CJM, Munger in connection with Kotwali
P.S. Case No. 442 of 2022.

(Sunil Kumar Panwar, J)

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