

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3957 of 2022

Arising Out of PS. Case No.-219 Year-2022 Thana- BENIPATTI District- Madhubani

Shiv Jee Kumar Yadav S/O Chhote Yadav R/O Village- Samda, P.S- Benipatti,
District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Reeta Devi W/O Dinesh Ram R/O Village- Samda, P.S- Benipatti, District-
Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Prakash
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-03-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated 17.10.2022 passed by learned Additional Sessions Judge-I-cum-Special Judge, Madhubani in connection with Benipatti P.S. Case No. 219 of 2022 instituted for the offences punishable under Sections 420, 406, 376, 384, 341, 323, 354, 504, 506 of the Indian Penal Code, and Section 3(i)(r)(s) of the SC/ST Act whereby his prayer for being released on bail has been rejected.

It is alleged against the appellant that on



promise to marry he established physical relationship with the informant and thereafter started black-mailing her that if she could not pay the money as demanded by him, he would post the intimate pictures and videos of the informant on social media. It is also alleged against the appellant that he posted the obscene pictures of the informant on social media and on protest, abused the informant and other family members by calling their caste name.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The informant is a married woman aged about 43 years and in her 164 Cr.P.C. statement she has not alleged any sexual relationship with the applicant. The informant has also not produced any chit of paper which shows that appellant took any money from the informant. The appellant is in custody since 16.08.2022.

Learned counsel appearing on behalf of the



informant and learned Special P.P for the State have vehemently opposed the prayer for bail of the appellant.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 17.10.2022 passed by learned Additional Sessions Judge-I-cum-Special Judge, Madhubani in connection with Benipatti P.S. Case No. 219 of 2022.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Madhubani in connection with Benipatti P.S. Case No. 219 of 2022.

(Sunil Kumar Panwar, J)

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