

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74633 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- MAHILA P.S. District- Nawada

PATO SAO @ INDRAJEET PRASAD @ INDRJEET PRASAD Son of
Keshav Sao Resident of- Jogachak, P.S.- Kawakole, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
07.10.2022 in connection with Mahila P.S. Case No.47/2021,
F.I.R. dated 23.12.2021, for the offences punishable under
Sections 376, 506 of the IPC & Section 67(a) of I.T. Act.

According to prosecution case, the petitioner is alleged
to have committed rape upon the informant and made video of
the same and threatened her not to make any complaint before
anyone otherwise he would make it viral.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence. He further submits that it has come during investigation that I.O. has specifically stated that the allegation as alleged in the F.I.R. as well as statement recorded under Section 164 Cr.P.C. have not been supported by the video and medical report. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 07.10.2022.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ms. Amritansha, J.M.1st Class, Nawada in connection with Mahila P.S. Case No. 47/2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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