

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81608 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- MAHILA PS District- Gopalganj

RAJU KUMAR SONI @ RAJU KUMAR S/O VERMA PRASAD
@BRAHMA PRASAD VILLAGE- BASADILA KHAS, P.O. AND PS.AND
DIST.GOPALGANJ,BIHAR-841428.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshay Ashish, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 376(2), 506 of the IPC and
sections 4/6 of POCSO Act, 2012.

3. Allegedly, petitioner is said to have committed rape upon
the victim and made objectionable videos and photos and on the
threat of that, kept raping her for many years. It is alleged that
petitioner used to threaten her by showing the videos/photos.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that the initial date of occurrence is alleged to be of seven years ago. Earlier, brothers of informant attempted to murder the petitioner, for which a case was lodged and thereafter, another case was lodged by the police against the brother of the informant namely Anil Kumar Soni bearing Mirganj P.S. Case No.310 of 2023 and after enquiry, it was found that the son of the informant was involved in the said case. Thereafter, this case has been lodged by the informant against the petitioner. It is further submitted that the petitioner and the victim were in love affair and in support of this contention, some documents has been enclosed as Annexure-4 series of the bail petition. Petitioner has three criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the statement of the victim was recorded u/s 164 Cr.P.C., in which, she has supported the prosecution case.

6. Having regard to the facts and circumstances of the case, since the occurrence is alleged to be of seven years ago and in continuance thereafter and F.I.R. has been lodged after a huge delay, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond



of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Mirganj Mahilla P.S. Case No.12 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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