

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10183 of 2024

Arising Out of PS. Case No.-154 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Gautam Kumar Paswan S/O Late Suresh Paswan R/O Village- Goddi @
Goddih, P.S- Keoti (Barbiga), Distt.- Sheikhpura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinkar Kumar, Adv.
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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

ORAL ORDER

5 08-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shekhopur P.S. Case No. 154 of 2023 dated 14.08.2023 registered for the offences punishable u/ss 341, 342, 376, 504 and 506 of the Indian Penal Code and u/ss 66C, 66D, 66E, 67A of the I.T. Act.

3. As per the prosecution case, the petitioner is alleged to have made obscene video of the informant and threatened her to make the video viral. When the petitioner started threatening to make the photo viral, she came to Sheikhpura from Kolkata and she got down at Sheikhpura Station, the petitioner took her to his sister's house. Thereafter,



the petitioner raped her two days and made her sit in a train from Sheikhpura Station and she went to Kolkata. The petitioner called the informant again but when the informant did not go, the petitioner made her photo and video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim is a major girl who knows the consequence of the act of the petitioner. Learned counsel has further submitted that the victim girl and the petitioner chose to have physical relationship of their own will. The victim is already married lady. There is no compliance of the Sections 53A and 164 of the Cr.P.C. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 30.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sheikhpura in connection with Shekhopur Sarai P.S.



Case No. 154 of 2023 with the 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, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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