

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11601 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- MAHILA PS District- Gaya

Sanjeet Kumar S/O Ganesh Mistri R/O Village- Khajuri, P.S.- Konch,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
		Mr. Madhav Raj, Advocate
		Mr. Ajay Kumar, Advocate
For the Opposite Party/s :		Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Gaya
Sadar Mahila P.S. Case No. 72 of 2023 instituted for the offence
under Sections 376, 504 & 506 of the Indian Penal Code and
Sections 67 & 67A of the IT Act.

3. Prosecution case in short is that informant met with
the petitioner in the year 2021 and then they started talking to
each other. It is alleged that petitioner used to threaten her by
saying that he will leak the naked photo of the informant. It is
next alleged that petitioner has sent the informant's naked photo
to her family members.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05-10-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that victim is aged about 20 years. It is also submitted that there is delay of 9 months in lodging of the FIR. It is submitted that there is contradiction in the statement of the victim recorded under Sections 161 and 164 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner has shared the naked photo of the victim, which fact finds mention in paragraph No. 51 of the case diary. It is next submitted that victim has supported the contents of the allegation levelled in the FIR. It is also submitted that medical report reveals that 'rape cannot be denied'. It is lastly submitted that charge sheet has already been submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, statement of the victim recorded under Section 164 of the Cr.P.C., wherein she has supported the case and taking



into account the medical report, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for grant of bail to the petitioner is **rejected**.

9. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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