

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10893 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- ISLAMPUR District- Nalanda

Rajesh Kumar Chaudhary S/O Late Fakira Chaudhary R/O VILLAGE-
NOORSARAI NAYA TOLA, PS.- NOORSARAI, DIST.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar
For the State	:	Mr. Vinod Shanker Modi
For the Informant	:	Mr. Rajeev Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-07-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in Islampur P.S. Case No. 477 of 2023 registered for the offences punishable under Sections 376, 354-D, 504, 506, 120(B) of the Indian Penal Code and Sections 66 and 67 of the Information and Technology Act.

3. As per the prosecution case, it is alleged that the petitioner on the pretext of marriage committed rape upon the victim and also made objectionable and intimate photographs of the victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the informant herself a major girl aged about 20 years and she



on her own will continued physical relationship with the petitioner for five months, hence no case u/S 376, 354D of I.P.C. is made out. He further submits that the petitioner has never sent any incriminating articles or photo on the mobile phone of informant's husband. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the victim has given pen drive containing obscene photographs to the I.O. of this case.

6. Considering the facts and circumstances of case, arguments of the parties and perusal of records, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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