

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21350 of 2024

Arising Out of PS. Case No.-825 Year-2023 Thana- BANKA District- Banka

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RITESH KUSHWAHA @ RITESH KUMAR SON OF SHASHI KAPOOR
SINGH RESIDENT OF VILLAGE - NARAUN, POLICE STATION -
SHAMBHUGANJ, DISTRICT - BANKA

... .. Petitioner/s

Versus

- 1. THE STATE OF BIHAR BIHAR
- 2. The State Of Bihar PATNA, BIHAR
- 3. The State Of Bihar PATNA, BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 08-07-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail in
connection with Banka P.S. Case No. 825 of 2023, registered for
the offences punishable under Sections 376, 384, 386, 509, 504
and 506 of the Indian Penal Code.

3. There is allegation against the petitioner that the
petitioner developed intimacy with the victim and committed rape
upon her. He also prepared photographs and videographs and
blackmailed her.

4. Learned counsel for the petitioner has submitted
that the victim, in her deposition during the trial, did not support



the prosecution case. In her cross-examination, she has specifically stated that the petitioner neither committed rape upon her nor prepared any photograph or videograph, nor demanded any money.

5. On the other hand, learned APP, Shailendra Kumar, has opposed the prayer for bail by submitting that the victim in her statement under Section 164 of the CrPC supported the entire occurrence.

6. Considering the above-mentioned facts and circumstances especially the fact that during trial the victim, in her cross-examination, did not support the prosecution case and also considering the fact that that the petitioner is under custody since 17.12.2023, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 825 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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