

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23948 of 2024**

Arising Out of PS. Case No.-698 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

Nabab Miya Son Of Nathuni Miyan Resident Of Village - Mirapur, P.S. -
Siwan Muffasil, District – Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabaiya Khatoon D/o Mustaffa Mian R/o vill - Harkhua, P.S. - Gopalganj,
Distt. - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the State : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

4 09-09-2024 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 493, 376
of the Indian Penal Code and Section 67 of the I.T. Act,
registered in connection with Gopalganj Town P.S. Case No.
698 of 2023.

3. The allegation against the petitioner is of



committing rape upon the informant and made her video viral. The informant further alleged that on the pretext of threatening for viralling the video, the petitioner used to commit rape.

4. The learned counsel for the petitioner has submitted that he has been falsely implicated in this case and has committed no offence. From the contents of the FIR and the statement of the victim recorded under Section 164 of the Cr.P.C., it transpires that the relationship between the victim and the petitioner was consensual. He submitted that so far as, the allegation of making the video clip and viral it, there is no material against the petitioner in case diary at all. Moreover, petitioner is a person of clean antecedent and he is in custody since 03.09.2023.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer of bail.

6. Considering the above-mentioned facts and circumstances of the case, the specific allegation against the petitioner as also the fact that the charges have been framed in this case, this court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the prayer is rejected.

8. The trial Court is directed to conclude the trial



**within a period of six months positively, failing which the
petitioner will be at liberty to renew his prayer for bail.**

(Nawneet Kumar Pandey, J)

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