

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30648 of 2024

Arising Out of PS. Case No.-775 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Abisekh Kumar @ Abhishek Kumar S/o- Late Bhaga Ray Village- Dhamown
Ps- Patori Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Shahpur Patori P.S.
Case No. 775 of 2023, instituted for the offences punishable
under Sections 323, 324, 307, 313, 376, 406, 420, 504 and 511
of the Indian Penal Code.

3. The prosecution case, in short, is that, on the
pretext of marriage, petitioner established physical relationship
with the victim. It is further alleged that the petitioner made a
video and thereafter co-accused blackmailed the victim and also
made the video viral.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the complainant has falsely implicated the petitioner merely because she and her family members wants to grab the property of the petitioner. There is delay of 4 years in lodging the complaint which raises doubt over the prosecution story. Charge-sheet has been submitted in this case. The petitioner is in custody since 27.12.2023 and has no criminal antecedent. Learned counsel for the petitioner has further placed reliance on cases of the Hon'ble Supreme Court since reported in ***2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)*** and ***(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)***.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Shahpur Patori P.S.
Case No. 775 of 2023.

(Rudra Prakash Mishra, J)

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