

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37199 of 2024

Arising Out of PS. Case No.-172 Year-2022 Thana- ABADPUR District- Katihar

Babul @ Bablu Son of Mustafa R/O Vill.- Suhar, P.S.- Abadpur, Dist.-
Katihar, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner seeks regular bail in a case registered
for the offence punishable under sections 376, 323, 504, 506/34
of the Indian Penal Code.

3. As per the prosecution case, petitioner took obscene
photograph of complainant when she was taking bath and he
started blackmailing her for making physical relation. Later on,
when the complainant was returning from her parental house to
in-laws house, petitioner caught and took her to the nearest
banana bush and raped her by putting Gamcha on the mouth and
also took obscene photographs of the scene and circulated the
same on Whatsapp group.

4. Learned counsel appearing for the petitioner
submits that complainant is a married lady of 37 years age and
due to village politics she has implicated the petitioner in the



present false and concocted case. F.I.R. has been lodged after inordinate delay of four months without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent. Charge sheet has already been filed. Petitioner is in custody since 30.12.2023.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I cum Special Judge SC/ST, Katihar in Sessions Trial No. 153/2024, Abadpur Police Station Case No. 172/2022.

(Prabhat Kumar Singh, J)

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