

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44294 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- MAHILA P.S. District- Sitamarhi

Ram Bharat Sah Son of Mr. Jagdish Sah R/O Village- Mohandih (ward no. 14) P.s.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh
Mr. Ajay Kumar Thakur, Sr. Adv
Mr. Ritwik Thakur

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 323, 376(D) and 34 of the Indian Penal Code and Section 67(A) of the Information Technology Act.

3. It is alleged against the petitioner and co-accused Dharmendra Sah that they forcefully committed rape of the informant and thereafter made video of the incidence and thereafter made the video viral.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim is married lady. The husband of the informant was earlier working in the tent shop of this petitioner and he was ousted by petitioner due to misappropriation of some amount. Hence, in retaliation, the present accusation has been levelled against this petitioner. It is further submitted that doctor has also not found any injury on the person of the informant to establish whether rape has been committed or not. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 31.01.2024 in Cr. Misc. No. 3743 of 2024. Moreover, the petitioner is languishing in judicial custody since 20.10.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 29 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned 1st Additional Sessions Judge,
Sitamarhi.

(Sunil Kumar Panwar, J)

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