

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57634 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHILA P.S. District- Nawada

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Pawan Kumar SON OF GANGA YADAV @ GANGA PRASAD YADAV
R/O Vill.- Hasanpur, P.S.- Hiswa, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar thakur
		Ms. Vaishnavi Singh
For the Opposite Party/s :		Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 4 | 25-10-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.2. The petitioner seeks regular bail in connection with Mahila Police Station Case No. 34 of 2023, registered for the offence punishable under Sections 341/342/376/504/506/34 of the Indian Penal Code and Sections 66(D)/66(E) of the I. T. Act.3. The prosecution case, as per the First Information Report, is that on 16.02.2023, the petitioner entered into the house of the informant and committed rape upon her. It has been alleged that the petitioner made video of the said incident and started blackmailing the informant and continued to make sexual relationship with the informant. |
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4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence as alleged and there is delay in lodging the First Information Report inasmuch as the alleged occurrence has taken place on 16.02.2023, but the First Information Report has been lodged on 29.08.2023. During investigation, no such video and/or viral photographs of the informant having objectionable pose has been found. The informant has refused to undergo medical examination. The petitioner is in custody since 06.04.2024 and charge sheet has been submitted against the petitioner.
5. On the other hand, learned Additional Public Prosecutor, referring to the case diary, submits that the CDR of the mobile of the informant and the petitioner shows that they were having chat. Some photographs of the informant were loaded from the mobile of the petitioner on the Facebook and Instagram.
6. Regards being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that the petitioner is in custody since 06.04.2024, charge-sheet has already been submitted, the petitioner is a student, aged about 22 years and the



informant is also aged about 20-22 years and is also a student, I am inclined to grant regular bail to the petitioner.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada, in connection with Mahila Police Station Case No. 34 of 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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