

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66102 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- KHUSRUPUR District- Patna

Sunny Kumar S/o Late Kaffu Paswan R/o- Tilhar, P.S.- Khushrupur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Lalita kumari D/O- Awadhesh Singh, R/O- Nirmalichak , PO and PS- Khusrupur, Dist-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mohit Raj
For the Opposite Party/s	:	Mr.Abhay Kumar
For the Informant	:	Mr. Bhola Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 16-12-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khushrupur P.S. Case No. 104/2024 dated 16.03.2024 registered for the offence punishable u/s 341, 342, 323, 324, 504, 506 and 376D of the Indian Penal Code and Sections 66C and 67 of the I.T. Act.

3. As per the prosecution case, the petitioner is alleged to have established physical relation with the informant and made video of the informant and began to blackmail her and threaten her that she will have to do what the petitioner and his brother will say otherwise they will made viral the said video



for which the informant got afraid and thereafter petitioner and his friends also made physical relation with the informant and the petitioner made fake marriage certificate and uploaded on social media to make the account of instagram in the name of the informant. The informant further stated that the said viral video came in knowledge of her elder brother then she disclosed all the matter before her elder brother and family members and then, family members contacted the petitioner. On this the petitioner, his brothers and others friends threaten that they would falsely implicate whole family members in ST/SC case. On 23.11.2023 the informant was going to her college then on the way the petitioner snatched all the documents of the informant and forcibly took away the informant to his room and forcibly made physical relation with her and kept her for two days and assaulted her and forcibly took the signature of the informant on stamp paper of Rs. 100/- and filled *sindur* on her forehead and took the picture. The informant further stated that she came back to her house and disclosed the matter before her elder brother who called the petitioner and asked about incident then, the petitioner began to abuse him and thereafter he called her parent and abused them and threatened them that they would have to marry their daughter with him otherwise he would kill



them and also he would viral the videos.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the parties. Learned counsel has submitted that the occurrence took place in the year 2019 whereas the FIR was lodged in the year 2024. It is further submitted that the victim statement recorded u/s 161 and 164 of the Cr.P.C. is contradictory. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner. As per the medical report of the victim, spermatozoa not found in the vaginal smear because the occurrence took place on 16.03.2024 and the medical report was prepared on 23.03.2024.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Khushrupur P.S. Case



No. 104/2024, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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