

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65803 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- DEEPNAGAR District- Nalanda

Ishan Raj Son Of Suresh Prasad Resident Of Village -Lala Bigha, Ps- Telhara,
Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar
For the Opposite Party/s	:	Mr.Usha Kumari 1
For the Informant	:	Mr. Rajnish Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Deepnagar P.S. Case No. 08 of 2023 instituted for the offence
punishable under sections 354, 504, 506, 376 and 323 of the
Indian Penal Code, 3(i)(r)(s)(w)/3(2)(va) of SC/ST Act, Sections
4/6, 8, 10 and 12 of the POCSO Act and Section 66 (D)(E) of
I.T. Act.

As per allegation in the F.I.R., the daughter of the
informant aged about 17 years has developed friendship with
petitioner through account of Instagram and facebook and
during this course filthy language was being used then his
daughter blocked the account. Then petitioner made a fake I.D.



of a girl and contacted with his daughter and under threatening she was called at B.M. Place Hotel, Biharsharif where he made lewd behave with her daughter and made video of the said act and thereafter started blackmailing with her.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to personal grudge. The statement of the victim girl was recorded after 10 days of lodging the F.I.R. while she was under custody of her father. It is further submitted that the victim girl is on the verge of majority. Petitioner has got no criminal antecedent and languishing in judicial custody since 10.08.2023.

Learned APP appearing for the state and learned counsel for the informant opposed the prayer of regular bail and submitted that the petitioner has committed rape with the informant's daughter. As per the statement of the victim recorded under Section 164 of the Cr.P.C., in which she has supported the prosecution case and she has specifically stated against the petitioner that he forcibly committed rape with her. She has also stated that petitioner has made video of the alleged offence and gave threatening to make the video viral. It is further submitted that victim girl is minor.



Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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