

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65909 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- JOGBANI District- Araria

Md. Warish @ Md. Warish Ansari S/O Mazid Ansari @ Md. Mazzid R/O Haji
Mohalla Ward No. 09 Jogbani, P.S- Jogbani, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-11-2024 Heard Mrs. Vaishnavi Singh, learned counsel for

the petitioner, Mrs. Renu Kumari, learned APP for the State and

perused the case diary.

2. The petitioner seeks bail in Jogbani P.S. Case No.
90 of 2024, instituted for the offences punishable under Sections
376, 506/34 of the Indian Penal Code, Sections 67 and 67A of
the IT Act.

3. The prosecution case, in short, is that, husband of
the victim used to live outside and the petitioner offered the
victim to have cold drink and after consuming the same she
became unconscious. The petitioner took advantage of the
moment and made physical relation with her and also recorded
the same. Later on the petitioner blackmailed the victim on the



basis of the video and made physical relation on a regular basis. When the victim stopped doing the same then the petitioner sent the video to her husband.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that there is inordinate delay of one year two months in lodging FIR. The petitioner has not done any forceful act with the victim. Medical report of the victim does not corroborate the allegation levelled in the FIR. It is further submitted that no case is made out against the petitioner under Section 376 of the Indian Penal Code. The petitioner is in custody since 17.05.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Jogbani P.S. Case
No. 90 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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