

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72212 of 2023

Arising Out of PS. Case No.-601 Year-2022 Thana- PATRAKARNAGAR District- Patna

RAJESH KUMAR Son of Sri Bishnudeo Singh R/o vill - Maheshpur, P.S. -
Piri Bazar, Distt. - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Singh

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376 (2)(e) (k)(n) of the Indian Penal Code and Section 66E of the I.T. Act, 2000.

3. As per prosecution case, it is a case of having sexual relation relation of the victim/informant by the petitioner. Both were working as hospital staff. It is further alleged that the petitioner took objectionable video of the informant.

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. It is submitted that the informant was in relation with the petitioner prior to April, 2021



bu the present FIR was lodged in 5.10.2022 with malice intend. From perusal of statement of victim recorded u/s 164 of the Cr.P.C., it appears the informant and the petitioner were known to each other since 2021 and it seems there was consensual relationship between them. The medical report of the victim does not corroborate the prosecution case in which there was no any injury on her body or her private part. The informant/victim is a major lady. The petitioner got no criminal antecedent and languishing in judicial custody since 7.10.2022.

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

6. Considering the aforesaid facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Patrakar Nagar P.S. Case No. 601 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Patna.

(Sunil Kumar Panwar, J)

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