

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78033 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- PALIGANJ District- Patna

Sharwan Kumar Son of Sidhnath Prasad Resident of Old Bazar, Paliganj, P.S.-
Paliganj, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari D/O- Uday Mistry Resident of Village- Kurkuri, P.S.- paliganj,
Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar, Advocate
For the State	:	Mr. Chandra Bhushan Prasad, A.P.P.
For the Informant	:	Mr. Vivek Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Paliganj P. S. Case No. 172/2024 in a case registered for the
offences punishable under Sections 376, 504, 506/34 of the
Indian Penal Code.

3. As per the prosecution case, on 04.05.2024 at about
11:30 PM, this petitioner entered the house of informant and
raped her. It is further alleged that the petitioner also made video
of the act and demanded Rs. 20 lacs from the informant for
deletion of the said video and when informant narrated the
entire incident to her family members, this petitioner along with



other accused persons threatened to kill her.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. From perusal of the F.I.R. it is apparent that petitioner and informant were in relationship for more than five years. Both parties were major at the time of alleged occurrence and relationship was consensual. Informant was fully aware of the consequences of such relationship as such, petitioner cannot be held liable for the same. Petitioner is in custody since 16.07.2024.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case and period of custody, the bail application is allowed. Let the above named petitioner 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 Sub-Divisional Judicial Magistrate, Danapur in connection with Paliganj P. S. Case No. 172/2024.

(Prabhat Kumar Singh, J)

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