

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79769 of 2023

Arising Out of PS. Case No.-9 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

Navit Kumar Mahi @ Navit Kumar Son Of Shaligram Mandal @ Bhola Mahaldar @ Shaligram Mahaldar R/O Village- Lailakh, P.S.- Sabour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 506 and 34 of the Indian Penal Code and Sections 67 and 67(A) of the I.T. Act.

3. The allegation against the petitioner is that he committed rape with the informant on false pretext of marriage and also blackmailing her through objectionable video captured by the petitioner.

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 further submitted from para-6 of this petition that informant herself a



questionable lady because, she has also filed one case vide Sabour P.S. Case No. 204 of 2020 under Sections 341, 323, 504, 506 and 34 of the IPC and 3/4 of Dowry Prohibition Act for illegal demand from her husband and in support of this, FIR copy has been annexed as Annexure-3 of this petition. There is delay of three years in lodging the FIR from the date of occurrence. By way of supplementary affidavit, it is mentioned in para-3 that the victim(informant) is already a married lady and on ulterior motive, she has filed the aforesaid case against the petitioner and other. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.07.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 09 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 Judicial Magistrate-1st Class,
Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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