

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83553 of 2023**

Arising Out of PS. Case No.-216 Year-2023 Thana- JAMUI District- Jamui

Vikash Sah @ Vikash Sav @ Vikash Kumar Son Of Mahendra Sav R/O  
Village- Sikahariya, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      18-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Jamui P.S. Case No. 216 of 2023 for the offences registered  
under Sections 376, 506 of the Indian Penal Code and Sections  
66(c) and 66(d) of the I.T. Act.

3. As per the prosecution case, four years ago  
petitioner along with co-accused Niraj Sah entered into the  
house of informant and committed rape on the point of knife. It  
is alleged that co-accused Niraj Sah made video of the same.  
They threatened the informant of dire consequences. It is further  
alleged that when marriage of the informant was fixed, accused  
persons again came and made sexual advances with her. On  
raising alarm, petitioner was caught. Police conciliated the



matter but again accused persons went to future *Sasural* of the informant and sent wrong messages and photos.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The victim, who is major was in love relationship with the petitioner. The allegation against the petitioner that he made sexual relationship with the victim four years prior to the institution of the F.I.R. but the victim remained silent for that period and had not taken any legal action against the petitioner and co-accused. The photograph produced on the record shows intimacy of the informant with the petitioner. It is further submitted that parents of the informant were not ready to marry her daughter with the petitioner and on the basis of concocted story, F.I.R. has been lodged. Petitioner has no criminal antecedent. He himself surrendered in the Court on 04.05.2023 and since then he is in custody. Co-accused Niraj Sah @ Neeraj Kumar has already been granted bail by a Co-ordinate Bench of this Court, vide order dated 24.07.2023 passed in Cr. Misc. No. 43653 of 2023. Charge-sheet has already been submitted in this case. There is no chance of tampering with the evidence or absconding of the petitioner.

5. Learned counsel appearing on behalf of the State



opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Jamui P.S. Case No. 216 of 2023, subject to following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

**(Sunil Dutta Mishra, J)**

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