

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81273 of 2023

Arising Out of PS. Case No.-378 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Ram Balak Singh, Son Of Late Ram Jeevan Singh, R/O Village- Shivnathpur,
P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

6 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 378 of 2023 for the offence registered
under Sections 376, 420, 120(B) of the I.P.C. and Section 67 of
the Information & Technology (Amended) Act, 2000.

3. Allegation against the petitioner is of committing
rape with the informant and also made the video viral of the
alleged occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The alleged occurrence took place on 17.07.2022 and the
present complaint was filed on 25.08.2023 i.e. about one year
after the alleged occurrence. The complaint filed by the



informant in the Court of learned Sub Divisional Judicial Magistrate, Rosera being Complaint Case No. 665 of 2023 and the same was transferred to the Bibhutipur Police Station under Section 156 (3) of Cr.P.C. for instituting a case vide order dated 08.09.2023 and that the said order was challenged by the petitioner. In Cr. Revision No. 466 of 2023, learned Sessions Judge, Samastipur has allowed the said Cr. Revision and directed that the proceeding of the complaint case shall remain stayed. Out of six antecedents against the petitioner, he has been acquitted in two cases and two case are related to this case. He further submits that earlier for the same incident in respect of indecent video of complainant with petitioner police case being Bibhutipur P.S. Case No. 85 of 2023 was registered and the petitioner has already been granted bail in Bibhutipur P.S. Case No. 85 of 2023 by a coordinate Bench of this Court vide order dated 11.10.2023 passed in Cr. Misc. No. 64374 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that the charge-sheet has already been filed against the petitioner and the learned court concern has already taken cognizance against the petitioner.

6. Considering the submissions on behalf of the



parties and the facts and circumstances of the case, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in Bibhutipur P.S. Case No. 378 of 2023, subject to the following conditions:-

(1) One of the bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) 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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