

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4310 of 2025

Arising Out of PS. Case No.-278 Year-2024 Thana- RAGHOPUR District- Vaishali

Ramsagar Rai, aged about 74 years, Gender-Male, S/o Late Nabalak Rai, R/o
Village- Nagargawan, PS- Raghobpur, Distt- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shivnandan Bharti, Advocate
For the Opposite Party : Mr. Ram Sumiran Rai, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Raghobpur P.S. Case No. 278 of 2024 dated 01.10.2024
registered for the offences punishable under Sections 75, 76, 79,
308(3) read with Section 3(5) of BNS, 2023 and Sections 66C
and 66D of the I.T. Act.

3. As per the prosecution case, on 12.05.2024 at about
5.00 P.M., when the informant alongwith Rs. 30,000/- was
going to her house from Paharpur Chauk, then the co-accused
Laalan Rai, Rahul Kumar, Bechan Rai and two other persons
who were covered their faces with Gamacha and in drunken
state, took her in the maize field and started molesting her and



made it video and also tore her clothes. When she raised hulla, the co-accused Laalan Rai pressed her mouth with her clothes and all the accused persons took her in the house of the co-accused Laalan Rai and tried to establish physical relationship with her and made it video. It is further alleged that on her hue and cry, Ramsagar Rai (petitioner) abused her and told that everything is finished, her obscene video has also been made and told the informant to go her home by giving her tore clothes and also threatened if the matter is reported to anybody or the police, her obscene video will be viraled on social media and her son and husband would be killed and false case would be filed against her as the officer-in-charge of Raghapur Police Station is his own man. It is further alleged that when the police came, Ramsagar Rai (petitioner) returned back the police by saying that nothing is happened here. When she went Raghapur Police Station to lodge the case then the officer-in-charge refused to lodge the case against the accused persons. When she went to the Hospital for her medical, she was also refused for medical by the staff of the hospital. It is further alleged that Ramsagar Rai (petitioner) also threatened from his mobile to the mobile of the brother-in-law (Dewar) of the informant that if the matter is reported to anyone, the case of kidnapping would be



lodged against the brother-in-law (Dewar) of the informant. It is further alleged that on 10.09.2024 the co-accused Laalan Rai demanded Rs. 1,00,000/- from the informant and told her that if the same amount would not be paid within a period of two days, her obscene video would be made viral on the social media. It is further alleged that when the informant did not pay Rs. 1,00,000/- to the co-accused Laalan Rai, then he made her obscene video viral from his facebook and other account from 15.09.2024 to 24.09.2024. The informant has screen short photo and video of that.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. It is submitted that the alleged occurrence took place on 12.05.2024 as to when the F.I.R. has been lodged on 01.10.2024 and the delay in lodging of the F.I.R. has not been explained by the prosecution. The petitioner is an old person aged about 74 years and retired from the police department and suffering from various ailments. It is further submitted that the occurrence took place on 12.05.2024 and she never filed any complaint before any legal forum and this leisure litigation has been instituted as an afterthought on the basis of false allegation with an ulterior motive. The



informant is an illiterate lady and who have not signed on the fardbeyan rather put her thumb impression on the representation dated 27.09.2024 before the Superintendent of Police, Vaishali at Hajipur and the Superintendent of Police, Vaishali at Hajipur without any preliminary enquiry, gave direction on the same day to the S.H.O., Raghapur Police Station to lodge an F.I.R. which is bad in law. There is no medical evidence in support of the allegation made in the F.I.R. There is general and omnibus allegation against the petitioner. The specific allegation is against the co-accused Laalan Rai, Rahul Kumar and Bechan Rai. There is no eye witness to the alleged offence. No incriminating article has been recovered from his possession. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 01.12.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to



the satisfaction of learned A.C.J.M.-XV, Vaishali at Hajipur or
successor court in connection with Raghopur P.S. Case No. 278
of 2024 with further condition:-

(I) The petitioner is directed to remain
physically present before the learned court
below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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