

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5455 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- RAHIKA District- Madhubani

Chandan Kumar S/o Binod Mahto Resident of village- Malangia, P.S.-
Rahika, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeev Kumar Singh S/o Late Ram Kumar Singh Resident of village-
Malangia, P.S.- Rahika, District- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv.
For the State : Mr. M.K. Nirala, Adv.
For the Informant : Mr. Munish Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Rahika P.S. Case No. 68 of 2024 registered for the offences
punishable under Sections 376, 384, 341, 323, 504, 506/34 of
the Indian Penal Code, Section 4/6 of the POCSO Act and
Section 67(A) of the Information Technology (Amendment) Act,
2000.

3. Based upon the written report, it is alleged that the
daughter of the informant who was a student of J.M.D.C.L.
Girls College was subjected to rape on the point of knife at the
hands of the petitioner and later on she was subjected to



continuous physical relationship by giving a threatening of making her nude photographs viral.

4. Learned counsel for the petitioner taking this Court through the FIR has contended that, in fact, the victim girl and the petitioner was in good relationship and both the parties being major have entered into relationship with consent of each other. It is further contended that the alleged date of occurrence of commission of rape was said to be 08.01.2024 but the present FIR has been instituted on 01.04.2024 without there being any explanation of delay. It is further contended that, in fact, the allegation that the obscene photographs of the victim has been sent to her in-laws is palpably incorrect. The petitioner has no concern with the mobile from which the photographs was sent. The medical report also suggests no sign of forcible physical relationship. It is lastly contended that on the alleged date of occurrence, the father of the petitioner has also instituted a case bearing Rahika P.S. Case No. 69 of 2024 against the informant and others.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that apart from serious allegation that the victim was subjected to rape and the petitioner made physical relationship on threat of making her



obscene photographs viral, the materials available on record clearly suggest that process under Sections 82 and 83 Cr.PC. has already been issued.

6. Considering the submissions advanced by the learned counsel for the petitioner and taking note of the allegation and the fact that process under Sections 82 and 83 Cr.PC. has already been issued, this Court is not acceded the prayer for grant of anticipatory bail to the petitioner. Accordingly, his prayer is rejected.

(Harish Kumar, J)

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