

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5991 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- BRAHMPURA District- Muzaffarpur

Rajeev Kumar @ Rajiv Gupta @ Rajiv Sah S/o Jagdish Sah @ Jagdish Gupta
R/o Village- Gangapur, PS- Kaanti, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 376, 377, 384, 420 of the Indian Penal Code.

3. As per the prosecution case, in the year 2014, this petitioner, on the pretext of securing a job to informant, established physical relation with her and took her indecent photographs and since then, on threat of making her obscene photographs viral, he continued to black-mail her and also extorted Rs. 5 lacs from her.

4. Learned counsel for the petitioner submits that from perusal of complaint petition, it is apparent that complainant/informant is a married woman and her marriage



was solemnized in the year 2014, but due to cruelty by her husband, she left her matrimonial house and used to reside at Brahampura, where she came in contact with this petitioner in the year 2014 and thereafter, the friendship developed between them. Friendship continued for years. Both of them enjoyed each others company for years and indulged in sexual act, which cannot be said to be induced or involuntarily. Learned counsel further submits that even if, it is assumed that the victim was subjected to sexual assault (rape) by this petitioner, but she kept mum for over 10 years and all of a sudden, she went to lodge a complaint case in the learned Court below, which itself casts serious doubt on the veracity of prosecution case. Petitioner has got clean antecedent.

5. Learned A.P.P. for State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class (East) Muzaffarpur in connection with Brahampura P.S. Case No. 150 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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