

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31391 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- FULKAHA District- Araria

Dhiraj Choudhary @ Dhiraj Kumar Choudhary @ Dhiraj Kumar S/o Dinesh Choudhary R/o vill - Laud, ward no. 8, P.S. and Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 32268 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- FULKAHA District- Araria

Md. Hajruddin S/o Md. Alauddin R/o Village- Bathnaha, Ward No.3, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31391 of 2025)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Ms. Vaishnavi Singh, Adv.
Mr. Ritwik Thakur, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh

(In CRIMINAL MISCELLANEOUS No. 32268 of 2025)

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Considering the fact that both the matters are arising out of the same P.S. case and, as such, with the consent the parties, both the applications are being heard together and disposed of by this common order.

2. Heard the parties.

3. Applications for grant of bail to the petitioners, who



are in custody in connection with Fulkaha P.S. Case No. 21 of 2025, registered for the offences punishable under Sections 137(2), 87, 3(5) of the BNS.

4. Based upon the written report, the prosecution alleges that the daughter of the informant, who was mentally ill and her treatment was going on and due to that reason she had less understanding of right or wrong. On 12.01.2025, his daughter has received repeated calls and she was threatened with dire consequences. The informant having come to know confronted with the persons, who have made the call and also went to the house of co-accused person, including the petitioner, whereupon they have also threatened the informant. On 27.01.2025, allegedly the daughter of the informant was taken away by the accused persons and again when the informant rushed to the house of the accused persons, including the petitioner, they have assured that his daughter will be returned but she did not return. Thereafter the present FIR.

5. Learned Advocate for the petitioners contended that the alleged occurrence took place on 27.01.2025 but the FIR came to be instituted on 31.01.2025. During the course of investigation, statement of the mother of the victim was also recorded but she did not whisper about the complicity of the



petitioners and others. It has further come that the victim had relationship with one Suraj Kumar, the brother of Dhiraj Choudhary (one of the petitioner) and both of them had stayed at Hotel and later on when this act came to light, the names of all the family members, including the petitioners, and his friends have been implicated. The entire allegation revolves around some obscene video based upon which she was subjected to blackmail but the Investigating Officer has failed to bring it on record. It is lastly contended that the victim was an adult lady aged about 27 years and during medical examination, no internal or external injury has been found. In fact, she was consenting party but later on, on pressure made by her father, she has made specific allegation against all the family members and the friends of Suraj Kumar in her statement recorded under Section 183 of BNSS. It is lastly contended that the petitioners have absolutely fair antecedent and now they have been incarcerated for over a period of six months.

6. On the other hand, learned APPs for the State vehemently oppose the bail application and submit that the statement of the victim recorded under Section 183 of BNSS clearly suggests that she was subjected to sexual exploitation with the hands of both the petitioners on the threat of making



her obscene video viral. The allegation is serious in nature and thus the petitioners do not deserve any sympathetic consideration.

7. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the statement of the victim recorded under Section 183 BNSS, this Court is, at present, not persuaded to accede to the prayer for bail to the petitioners. Accordingly, the prayer for bail of the petitioners stands rejected.

8. However, the petitioners shall be at liberty to renew their prayer for bail after framing of charge.

(Harish Kumar, J)

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