

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48965 of 2025

Arising Out of PS. Case No.-277 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Ajit Kumar S/o Arvind Kumar Resident of Trimurti Palace, Ist Floor, Bari Road, Bakarganj, P.S.- Kadamkuan (wrongly mentioned in FIR Police Station- Pirbahore), District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Arti Kumari Wife of Shashi Ranjan Kumar Resident of Adarsh Colony, Road No. 1, Khemnichak, P.S.- Ramkrishna Nagar, District- Patna, presently residing at Brahmpur, in front of Near Bishop Girls Escort School, Mansarowar, P.S.-Ramkrishna Nagar, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Choubey Jawahar, Adv.
For the Informant	:	Mr. Y.C. Verma, Sr. Adv.
		Ms. Priyanka Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 21-08-2025 Heard learned counsel for the petitioner and learned counsel for the Informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramkrishna Nagar P.S. Case No. 277 of 2025 dated 11.04.2025 registered for the offences punishable u/ss 64(1), 324(4) and 127(7) of the BNS.

3. As per the prosecution case, the informant alleged that in between the period of 2023 to 24.10.2024, she gave Rs. three crore, fifty lakhs to the petitioner on the basis of an agreement made on 1000 stamp paper for opening jewellery



shop. On 11.4.2025 the petitioner came to her house and said that he came to return Rs.15,00,000/- and demanded the agreement paper. When she took out the agreement paper, he snatched the same, tore it and threw into the dustbin and caught hold of her hand and dragged her into the room where he assaulted her and forcibly committed rape on her and after rape, the petitioner began to assault her with intent to kill. She further alleged that anyhow she came out of the room and locked the room from outside and made call to police on Dial 112, upon which police came there and arrested him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The whole prosecution story is false and fabricated. It is further submitted that the informant came to the shop of the petitioner on the pretext of purchasing some ornaments and purchased ornaments worth Rs. 3 lakhs and odds. She wanted to make payment in cash and made payment of Rs.1,93,536/- in cash and assured the petitioner to pay the rest amount in short time. Thereafter, she started talking with the petitioner on phone, and whenever the petitioner demanded due amount, she kept avoiding the same. He further submitted that on the date of occurrence, she called the petitioner at her house for payment. When the petitioner reached her house, she locked the door of



the house and made a concocted a story that she had made payment of Rs.3.50 crore to the petitioner, which is totally false and absurd. She has not produced any document of income tax showing her income to establish prima facie the allegation of payment of Rs.3.50 crore to the petitioner. It is further submitted that there is nothing on record which shows that the rape was committed or any sexual harassment was done except that the petitioner went there in the house of the informant. The informant in a pre-planned manner hatched up this false story and falsely implicated this petitioner for money. The allegation against the petitioner is that if she was assaulted and raped by the petitioner, but the medical report does not show any external sign of assault on the body of the victim and the opinion was kept reserved regarding sexual assault till the availability of the pathological report. But the supplementary report of Department of Pathology PMCH, Patna shows that- Spermatozoa not found. It is further submitted that the offence is alleged to have taken place inside the room of the victim but she has not raised any alarm while being raped and coming out of her house. It is further submitted that two broken mobiles were seized inside the room of the victim but she has not mentioned her mobile number from which she dialed on 112. The victim is 38 years old. The informant Aarti Kumari is also accused in Ramkrishna



Nagar P.S. Case No. 780/2023 filed by one Rajendra Prasad in which he alleged that the Aarti Kumari started doing obscene act with him and made video of the same. Further, it is alleged that for the deletion of the video Rs. 10 crores and 50 lakhs was demanded by Aarti Kumari and the co-accused persons. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.04.2025.

5. Learned counsel for the Informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the opposite party no. 2, along with her husband, is engaged in the business of Real Estate. During the period between August, 2023 to October, 2023. She advanced a sum of ₹3,50,00,000/- (Rupees Three Crore Fifty Lakh) to the petitioner for the renovation of his jewellery shop. The said transaction was reduced into writing by way of an agreement executed on a non-judicial stamp paper of ₹1,000/-, which was duly signed on 27.10.2023. It is further stated that the petitioner, in order to destroy the evidence of the transaction, tore the said agreement into pieces. The torn pieces of the agreement were duly seized by police. On receiving the information, police immediately arrived at the place of occurrence and apprehended the petitioner from the house of the opposite party no. 2.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody and finding substance in the contention of the learned counsel for the petitioner, 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 Court concerned, Patna in connection with Ramkrishna Nagar P.S. Case No. 277 of 2025, with following condition/s:-

(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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