

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71867 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- MAHILA P.S. District- Araria

Shankar Rishidev Son of Sukdeo Rishidev R/o Village- Koshkapur Bairakh,
Ward No.13 Ranighat, P.S.- Ranighat, District- Araria

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Phulo Kumari D/o Kailash Paswan R/o Village- Jaiprakash Nagar, Ward No. 07, Araria, P.S.- Araria, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Uday Chand Prasad, APP
For the Informant	:	Ms. Kanchan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the informant. Perused the case diary.

2. The petitioner seeks bail in connection with Mahila P.S. Case No. 28 of 2024 instituted for the offence under Sections 341, 323, 354(B), 376, 379, 506 & 34 of the Indian Penal Code.

3. Prosecution case in short is that petitioner took the victim for outings many times by trapping in love affair and made obscene videos of her. Thereafter, he blackmailed the victim and made physical relations with her time and again. On protest by the victim, petitioner said that he would delete the



videos only after giving taking Rs. 4 lakhs from her.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19-05-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Informant is herself the victim and she is major. It is submitted that though she has alleged in her statement recorded under Section 164 of the Cr.P.C. that petitioner had made sexual relationship but at the same time she has conceded that they were in love affairs. Medical report does not support the allegation levelled against the FIR. It is lastly submitted that police after investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is contended that petitioner blackmailed the victim for deleting the obscene videos and outraged her modesty by circulating the same to her family members, which is universally abhorred by the society, therefore, the petitioner should not be granted bail.

7. Considering the aforesaid facts and circumstances



of the case, nature and gravity of the offence, this Court, at this stage is not inclined to grant bail to the petitioner. Prayer for grant of bail is accordingly, *rejected*.

8. However, petitioner would be at liberty to renew his prayer for bail, if the trial is not concluded within a period of nine months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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