

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74212 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- BARHIYA District- Lakhisarai

Kanhaia Kumar @ Kanhaiya Kumar S/o Bhasho Singh @ Bhaso Singh
Resident of Village- Khutha Dih, PS- Barhiya, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritesh Kumar, Adv

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Barhiya P.S. Case No. 144 of 2025 registered for the offences under Sections 376(2)(n), 385 and 506 of the IPC and Section 67 A of the I.T. Act.

3. The petitioner is named in the F.I.R. and is in custody since 12.07.2025.

4. The allegation against the petitioner is to commit rape upon informant by blackmailing her to make her objectionable video viral on social media.

5. Learned counsel appearing on behalf of the petitioner submitted that admittedly informant was major



on the date of occurrence, as she was 22 years old and student of B.A. 1st year. It is submitted that alleged occurrence took place in Barhiya, but FIR was lodged in Gurgaon as zero FIR, which was subsequently transferred to Barhiya. It is pointed out that no such photographs which alleged to be made viral by this petitioner appears annexed with the FIR, in support of the allegations. It is pointed out that even FIR that friendship between petitioner and informant which turned into love affairs out of which they established consensual relationship and when their affair came into the knowledge of parents, which was not approved by the parent of informant present false FIR was lodged making informant instrumental. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State,



opposes the prayer for bail.

7. In view of aforesaid factual submission and from the face of FIR it appears that informant was in love affairs with petitioner, coupled with the fact as petitioner remains in custody since 12.07.2025, accordingly above named petitioner, is directed to be released on bail in connection with Barhiya P.S. Case No. 144 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

S.Tripathi/-

(Chandra Shekhar Jha, J.)

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