

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84066 of 2024**

Arising Out of PS. Case No.-70 Year-2024 Thana- MAHILA P.S. District- Siwan

Sagar Choudhary, S/o Harihar Choudhary, R/o Village- Usti, P.S.- Daroundha,  
Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Kanchan Kumari, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      06-02-2025                      Heard learned counsel for the petitioner, learned counsel  
for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Siwan Mahila P.S. Case No. 70 of 2024 registered for the offence punishable under Sections 376C, 354, 354A, 354B, 354C, 354D and 374 of the Indian Penal Code.

3. The case of the prosecution is that the informant, namely, Noorjahan Khatoon went on the clinic of the petitioner and she started working there at the wages of Rs.4,000/- per month. Gradually, the petitioner developed friendly relation with her. She started cooking also. The petitioner told the informant that he is unmarried and he is looking for a girl like her who can do all the household work and that he is also about to marriage. On 26.08.2021, when the informant started going to her house from hospital, the petitioner stopped her and disclosed her that he wants



to marry her. He also shown her video on You Tube of Special Marriage Act. After that, he established physical relationship with the informant. It is further alleged that the physical relationship was established many times. Whenever, the informant got pregnant, she was administered abortion pills. When in the year 2022, she asked for marriage then the petitioner said that she would have to do a course of G.N.M. and she was also admitted in a private college of U.P. It is further alleged that on 11.01.2024, the petitioner called the informant to his clinic and committed rape with her and also made cuts on her left hand. It is further alleged that from a fake facebook account, nude photograph of the victim was made viral.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that as per the F.I.R., the relationship has started back in year 2021 and it is alleged that the petitioner has established physical relationship with the informant for many times, but no complain has been made prior to 29.05.2024. It is also submitted that the informant has taken Rs. 2 lakhs from the petitioner and when he demanded, this case has been filed. Admittedly, the photograph was made viral from a fake facebook account. During investigation, it has not come that fake account was being



operated by this petitioner. As far as the relationship between the petitioner and informant is concerned, from the F.I.R. itself it is clear that it was consensual but at some moment, it become forceful. There is delay in making the complain as the occurrence is said to be started from year 2022. Petitioner is languishing in judicial custody since 13.08.2024.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant has submitted that physical relationship was established on the promise of marriage and that nude photograph was made viral through a fake facebook account.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. 6th, Siwan in connection with Siwan Mahila P.S. Case No. 70 of 2024.

(Ashok Kumar Pandey, J)

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