

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84260 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- RIGA District- Sitamarhi

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Sohan Singh S/O Late Bhagyanarayan Singh R/O Village- Kharsan, P.S-
Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Victim D/O Sanjay Singh R/O Village and P.O- Kharsan, P.S- Riga, Distt.-
Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Divya Bharti, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal
For the Informant	:	Mrs. Shashi Priya, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 14-02-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of the
informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 293, 294, 385, 506 and 509/34
of the Indian Penal Code, Section 66(E) of the Information and
Technology (Amendment) Act, 2000 as well as Sections 4, 8 and
12 of the POCSO Act.
3. Learned counsel for the petitioner submits that
petitioner is aged about 40 years and is a person with clean
antecedent and all of a sudden has been made a criminal when the
instant FIR came to be instituted with an allegation that on
10.08.2023 Laxman Sah entered the house of the informant and



established physical relation with her and also made a video and thereafter started blackmailing her and started demanding Rs.5 lakhs or else the video would be made viral. Thereafter, it is alleged that this petitioner came to the house of the informant and asked her father to solemnize the marriage of the informant with Laxman Sah otherwise the video would be made viral. In the meantime, on 28.06.2024, the video was made viral on account of which the prestige of the family was lowered down in the society.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant specifically alleges that Laxman Sah came to her house and established physical relation and made a video of the said act. It is further submitted that the informant does not allege rape which amply demonstrates that the relations in between the informant and Laxman Sah was consensual. It is next submitted that other part of the allegation on a closer scrutiny appears to be dichotomic for the reason that the informant alleges that Laxman Sah after making video of the act was blackmailing her and asking her to pay an amount of Rs.5 lakhs but then the informant also alleges that this petitioner came to the house of the informant and requested her father to marry the informant with Laxman Sah or else the video would be made viral. It is thus submitted that if the video of the act was made and Laxman Sah was already



blackmailing the informant then why the petitioner would have come to the house of the informant requesting his father to marry her with Laxman Sah. It is thus submitted that this amply demonstrates that the petitioner has been made an accused based on a false and a frivolous allegation. It is submitted that a person who has remained a person with clean antecedent till 40 years of age all of a sudden has been made a criminal. It is next submitted that petitioner is in custody since 05.08.2024, charge-sheet has been submitted, as such, no useful purpose would be served by keeping the petitioner in jail.

5. Learned A.P.P. for the State and the informant vehemently opposed the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Riga P.S. Case No. 227 of 2024.

(Satyavrat Verma, J)

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