

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83720 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- KALUAHI District- Madhubani

Chitranjan Yadav Son of Bhogendra Yadav R/o village - Kalikapur Navtoli ,
P.S- Kaluahi, District- Madhubani

... .. Petitioner/s
Versus
The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ravi Prakash, Advocate
Mr. Gagan Deo Yadav , Advocate
Mr. Rajesh Kumar , Advocate
For the Opposite Party/s : Mr. Veena Kumari Jaiswal , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-01-2025 Heard learned counsel for the petitioner and the
State .

2. Petitioner apprehends their arrest in a case
registered for the offence punishable under sections 127 (1) ,
115 (2), 64 (1) , 302 (2), 74, 352, 351 (3) and 3 (5) of Bhartiya
Nyay Sanhita (B N S).

3 . The prosecution case, in brief, is that the husband
of the informant is in a private job in UP, and the informant lives
in her house along with her minor children. It is further alleged



that the petitioner used to visit the house of the informant, and in the course of a visit one day, he captured an obscene photo and forcefully committed rape with her and also blackmailed her not to raise hualla; otherwise, he would make the obscene photos viral. It is further alleged that under threat of rape and kidnapping her children, one day he forcefully put sindur on her head and captured the photo and made the same viral among his friends. It is further alleged that when the informant told the aforementioned incident to her family members and family members of the petitioner, then petitioner abused her on mobile and forced her to marry him otherwise he would kidnap her daughter. On 12.07.2024, the petitioner took the daughter of the informant on a motorcycle and sent a message to come to Kutti, otherwise, her daughter would be gang-raped, and he also demanded Rs. 4 lakhs from her, and accordingly, the informant went to the place where the petitioner forcefully took her in the four-wheeler and locked her in a room and committed rape with her at night, and somehow she reached her village and informed the same to her husband.

4. It is submitted on behalf of the petitioners that petitioner is innocent and has committed no offence . No such occurrence as alleged ever taken place and the entire allegation



is false and concocted. As per F.I.R., alleged occurrence took place 3 and half years ago and the present F.I.R., has been lodged on 21.07.2024 for which there is no plausible explanation . Informant is married lady and aged about 34 years and has 4 children . The victim in her Statement recorded under Section 183 of BNSS has stated that she went to the house of petitioner and also she wants to live with this petitioner but due to bad behaviour of family member of the petitioner she was ousted from his house and lodged the present case . She further stated that her husband is not ready to keep her and so she wants to live with this petitioner. Petitioner claims clean antecedent.

5 . Learned counsel for the State opposed the bail petition .

6 Considering the statement of the victim recorded under Section 183 of BNSS, clean antecedent of the petitioner and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class Madhubani in connection with Kaluahi P.S. Case No. 132 of 2024 , subject to the conditions laid down under section 482(2) of the



Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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