

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84144 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- PAKARIBARAW District- Nawada

Md. Adil Hussain @ Md. Adil Son Of Md. Sattar @ Sattar Miya @ Abdul
Sattar Resident Of Village - Parariya, Police Station - Pakaribarawan In The
District Of Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

6 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Pakribarawan P.S. Case No. 278 of 2023 for the offence under Sections 376 and 34 of the I.P.C. and Section 67 of I.T. Act.

3. As per the prosecution story, the informant has alleged that both the accused persons have fraudulently recorded her obscene video and on the basis of that video, petitioner – Md. Adil Hussain has committed rape upon her. It is alleged that petitioner started blackmailing her and demanded money from the informant. Out of fear, she gave one golden chain worth Rs. 55,000/- and one golden ring worth Rs. 25,000/-. He further



demanded cash from the informant and in failure to do so the petitioner has made the aforesaid obscene video viral.

4. Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in the present case with oblique motive and mala fide intention. The informant is aged about 26 years, if the prosecution version is accepted on its face value, although the petitioner categorically denied. Even then no case under Section 376 of Indian Penal Code is made out. Learned counsel further submits that the occurrence is alleged to have committed on 02.05.2023 whereas F.I.R. was lodged on 25.06.2023 and the reason for delay was also not explained. Lastly he prayed to enlarge the petitioner on bail.

5. Learned APP and learned counsel appearing on behalf of the informant oppose the prayer for bail.

6. From perusal of case diary it appears that in para 5, 7, 8 and 14 the witnesses have supported the alleged occurrence of rape. The statement of victim has been recorded under Section 164 Cr.P.C. in which she has supported the alleged occurrence. Keeping in view the aforesaid facts, this Court is not inclined to extend him the privilege of anticipatory bail.

7. Accordingly, the prayer for anticipatory bail of the



present petitioner stands rejected.

8. The petitioner is directed to surrender before learned court below and prays for regular bail, which may be considered by the court below on its own merit, without being prejudiced by the order of this Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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