

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5286 of 2025

Arising Out of PS. Case No.-667 Year-2022 Thana- CIVIL LINE District- Gaya

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Ravi Chakraborty @ Jain Chakraborty @ Robi Da @ Jain Chakravarti @
Ravi Chakravarti @ Robid S/o- Late Jaydev Chakraborty @ Jaideo
Chakravarti Resident of House no 81/87, Kali Bari Tilha kali bari P.S- Civil
Line, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kaushalya Devi W/o- Anil Kumar Village- Chaksalem Ps- Shahpur Patori
Dist- Samastipur A/P- Gayghat PS- Alamganj Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhukar Anand
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in
connection with Civil Line P.S. Case No. 667 of 2022 registered
for the alleged offences under Section 377 of the Indian Penal
Code.

3. As per prosecution case, the informant who had
been suffering from some problem in her right hand was advised
to meet the petitioner, a Priest of Kali Bari Kali Mandir Temple
for her treatment. The informant went alone to meet the
petitioner and on pretext of treating her, the petitioner put his



hand on the breast of the informant and also put his finger in the private part of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. An improbable story has been brought by the informant. The occurrence is stated to have taken place in the morning but fardbeyan was recorded at 7.15 in the evening. There is no explanation for the delay. Further, the informant is an illiterate lady but she used word like private part etc. which does not appear to be normal for any illiterate lady. The occurrence is stated to have taken place in the temple where the petitioner used to stay along with his family including his daughter. Further, the informant has taken the name as well as alias name of the petitioner along with his parentage and it is not possible for the informant to know such details and it also shows the petitioner has been made accused in this case at the behest of the persons who are inimical to the petitioner. Learned counsel further submits that the petitioner has been falsely implicated by the person who wants to oust the petitioner from the Kali Mandir temple. Learned counsel further submits that even the statement of the victim lady recorded under Section 164 Cr.P.C. appears to be tutored. Learned counsel submits that an



improbable story has been woven by the informant against the petitioner. The petitioner is in judicial custody since 29.11.2023 and charges have been framed. The petitioner is having antecedent of three cases and he has been acquitted in two such cases and in 3rd case charge sheet is yet to be filed.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Perusal of record shows though the notice sent to opposite party no. 2 was received by her son, there is no representation on behalf of opposite party no. 2.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charge against the petitioner and also considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/concerned Court in connection with Civil Line P.S. Case No. 667 of 2022, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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