

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61737 of 2022**

Arising Out of PS. Case No.-26 Year-2022 Thana- MAHILA P.S. District- Vaishali

NAVIN KUMAR Son of Bhola Prasad Barnwal @ Bhola Prasad, Resident of village - Mahnar Bazar, P.S.- Mahnar, District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
For the State	:	Mr.J.N. Thakur
For the Informant	:	Mr. Surendra Kishore Thakur
		Ms. Priyam Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY**

ORAL ORDER

3      28-03-2023                      Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State, assisted by the learned counsel for the informant.

The petitioner is seeking regular bail in connection with Mahila P.S. Case No. 26 of 2022, registered for offence punishable under sections 354 (c), 376, 376 (E), 377 of the Indian Penal Code and section 66 (E), 66(A), 66(c) of the information Technology Act.

As per allegation, the petitioner called the victim and he administered some intoxicant to her in *Sarbat*. When she became unconscious, he made objectionable videography. When she got her consciousness, he showed vulgar videography to



the victim and blackmailed her. On coercion, he continued physical relations with her. Lastly, he provided seven intoxicated pills and asked her to consume the same and commit suicide, otherwise he would make viral her vulgar videographs.

The learned counsel for the petitioner has submitted that the petitioner is innocent and is under custody since 03.07.2022. He has submitted further that the informant is a married lady and she has also lodged a case under Section 498A of the Indian Penal Code against her husband. He has also submitted that when the investigating authorities asked for medical prescription of the victim, she did not provide them and also did not provide her mobile set, on which she had received vulgar photographs. She apprised the investigating officer that she, in a rage, had destroyed the mobile set and threw away. He has next submitted that the matter has been settled and the parties have compromised the case.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances as well as the period of incarceration, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of



the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Mahila P.S. Case No. 26 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

**(Nawneet Kumar Pandey, J)**

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