

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18718 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- MAHILA PS District- Darbhanga

Sonu Panjiyar @ Avinash Panjiyar, son of Chottu Panjiyar @ Anil Panjiyar
Resident of Mohalla - Shivaji Nagar, P.S.- Town, District - Darbhanga
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Priya Gupta Mr. Mohit Agrawal Mr. Chandan Kumar
For the Opposite Party/s :		Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since 18.02.2019 in connection with Darbhanga Mahila P.S. Case No.60 of 2017 arising out of Complaint Case No.910(C) of 2017 registered for the offences punishable under Sections 498A, 376, 377, 354 and 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act, which came to be registered as Mahila P.S. Case No.60 of 2017 under Section 156(3) of the Cr.P.C.

The prosecution case is to the effect that the informant, Bhanu Priti Bharti was married with the co-accused Manjit Ranjan in July, 2014. After marriage, she spent a month in her Matrimonial house at Madhubani and thereafter, she went to Delhi where she stayed for three months. It is alleged that all the accused persons were involved in prostitution and they used to put pressure on the



victim to engage herself in prostitution which was protested by her. Thereafter, in October, 2014, the informant came back to Madhubani where all co-accused persons made a demand of Rs. 20 lakh as dowry. It is further alleged that co-accused Sujit Ranjan, Punita Devi, Gita Devi, Anita Devi and Ranjit Chaupal put pressure on her to have sexual relation with co-accused Sujit Ranjan and the petitioner, Sonu Panjiyar against which she made protest. Thereafter, co-accused, Sujit Ranjan and the petitioner, Sonu Panjiyar, entered into informant's bed room and tried to ravish her and when she made protest, co-accused Punita Devi, Gita Devi and Anita Devi assisted in commission of the offence. It is further alleged that ultimately, after receiving the dowry, the informant was driven out of her matrimonial house by in-law family members.

It is submitted by learned counsel for the petitioner that the medical examination of the victim was not conducted, as she refused to undergo medical examination. Even assuming accusation to be true, no offence under Section 377 IPC is made out against the petitioner. It is further submitted that contradictory statements have been given by the informant under Sections 161 and 164 of the Cr.P.C. It is further submitted that co-accused Gita Devi, Kailash Kharga, Sunit Ranjan and Ranjit Chaupal have been granted anticipatory bail by learned Court below. It is further



submitted that the petitioner is not having any criminal antecedent, statement to that effect has been made in paragraph no.3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for bail and submits that as per the FIR, attempted to ravish the informant, and he is named in the FIR.

Considering the fact that no medical examination of the informant has been conducted, the contradictory statements of the informant recorded under Section 161 and 164 of the Cr.P.C., co-accused persons have been granted anticipatory bail, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner 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 learned S.D.J.M., Darbhanga in connection with Darbhanga Mahila P.S. Case No.60 of 2017 arising out of Complaint Case No.910(C) of 2017

(Dinesh Kumar Singh, J)

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