

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.35143 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- BANMANKHI District- Purnia

PRAVEEN KUMAR Son of Late Mahendra Rajak Resident of - Ward No. 03,
Banmankhi, P.S.- Banmankhi, Purnia

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Banmankhi P.S.Case No.34 of 2019 , registered for offences punishable under Sections 406, 420, 376 and 506 of the Indian Penal Code and Sections 3/4 of the D.P. Act.

Allegation against the petitioner as per FIR is that the marriage of the petitioner was fixed with the informant and after fixing of marriage they were on talking terms and further allegation is that the petitioner called her and have forcibly physical relationship with her and thereafter he demanded Rs.10 lac that has also been fulfilled but after result of the BPSC (Mains), he refused to marry her and demanded Rs.25 lac and at that time he was Assistant in the Patna High Court . The complaint petition further discloses that in the year, 2018 he returned the amount and forcibly took signature of her father on the agreement paper and he continued to making



threatening call to her mother and brother-in-law (*Bahnnoi*).

Submission of the learned counsel for the petitioner is that he has admitted the fact that the marriage of the petitioner was fixed with the informant but some confusion arises as the petitioner had seen some videograph of the informant and due to that the marriage was broken and he has returned all the articles taken in *Tilak* , which will appear from para 10 of the complaint petition itself. It is further submitted that the result of the BPSC was announced in December, 2018 whereas the marriage was broken in July, 2018 as such the case of the informant that he broke the marriage after being declared successful in the BPSC and demanded Rs.25 lac is false and concocted. Further submission is that so far physical relationship is concerned, that appears to be consensual and she was major at that time,.

Heard learned A.P.P. and the learned counsel for the informant, who has opposed the prayer for bail on the ground that after being successful in the BPSC he demanded Rs.25 lac and for that the petitioner broke the marriage and thereafter threatening her mother and brother-in-law. Further submission is that the allegation of the petitioner about any obscene



photograph is false and concocted and the aforesaid fact found support from the materials collected during the investigation and also in her statement under Section 164 Cr.P.C.

Having heard both sides and in view of the facts and circumstances, as stated above, it appears that the petitioner is a government servant and there is no chance of his absconding, let the petitioner, above named, surrender before the learned court below within a period of two weeks from the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea in connection with Banmankhi P.S. Case no.34 of 2019 dated 5.2.2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he has to appear before the Investigating Officer as and when required otherwise his bail bond shall be cancelled..

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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