

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6754 of 2020

Arising Out of PS. Case No.-73 Year-2019 Thana- EAST COLONY District- Munger

PAWAN KUMAR S/o Late Vishwanath Das Resident of Doctor Toli, Goshala Road, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rupam Kumari D/o Pramod Kumar Gupta Resident of Mungraura, Sikandarpur, P.S.- East Colony, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-10-2020 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 406, 420, 498(A) of the Indian Penal Code.

Informant has alleged that negotiation of her marriage was going on with one Pappu Kumar but due to some reason, it could not be materialized. However, after few days, brother of aforesaid Pappu Kumar, namely, Pawan Kumar (petitioner) somehow managed to talk with informant on her mobile and proposed to marry her. On refusal of the informant and her family members, Pawan Kumar after taking her and her family member into confidence, solemnized marriage with informant



on 18.03.2019 at Kali Pahadi Temple, Jamalpur, Munger and after their marriage, he took her to Patna and they cohabited in a hotel. Thereafter, Pawan Kumar went to Mokama and send the informant to Jamalpur with her brother. After some time, he stopped talking with the informant. Thereafter, informant went to his working place with her mother and maternal uncle and met to his officer then he took her to his quarter but on the next day, petitioner's sisters came there and ousted the informant from there after assaulting and humiliating her.

It is submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It is further submitted that entire prosecution story is false, concocted and afterthought. It is further submitted that there is no question of marriage in between informant and the petitioner and there is no proof of such marriage nor has been produced by the informant. It is contended that it appears from the F.I.R. that no date and time of the events and even the name of the hotel has been given in the fardbeyan which itself creates serious doubts about the allegation of the informant. Charge-sheet has been submitted against the petitioner on 23.08.2019. It is lastly submitted that petitioner is doing job in C.I.S.F and he is having clean antecedent.



Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bonds of Rs.20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with East Colony P.S. Case No.73/2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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