

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20372 of 2021

Arising Out of PS. Case No.-380 Year-2020 Thana- DUMRAO District- Buxar

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Dipak Kharwar Son Of Hiralal Kharwar R/O Vill- Paschimpatti Chougai P.S-
Murar, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Advocate
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection
with Dumraon P.S. case No.380/2020 registered under Sections
376 and 420 of the Indian Penal Code.

The prosecution case, in short, is that the petitioner
established physical relation with the informant on the pretext of
marriage and blackmailed the informant.

It has been submitted on behalf of the petitioner
that the petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in this case. As per the allegation, physical relationship is said to have been established between the parties on the pretext of marriage. Said relationship was consensual relationship, but due to some compelling situation, the marriage could not take place. Learned counsel for the petitioner submits that from perusal of the F.I.R. itself, it is a case of consensual sex. He has placed reliance on a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.)**.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned C.J.M., Buxar in connection with Dumraon P.S. case No.380/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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