

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35902 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- MAHILA P.S. District- Bhojpur

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DABLU BHAT @ DABLU KUMAR SON OF RAM SURESH SHARMA
Resident of Village - Gaudarh, P.S.- Shahpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh
For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove the
defects, as pointed out by the Office, within a period of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 379, 376 and 506 of the Indian Penal
Code.

The prosecution allegation, in short, is that the petitioner
established physical relation with the informant on the false promise
of marriage.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been made accused due to mistake of fact. The petitioner is
alleged to have established physical relationship on the false promise



of marriage. Learned counsel for the petitioner submits that the promise for marriage was not a false promise. However, due to unavoidable circumstances and pressure from the family members, he could not solemnize marriage with the victim. He further submits that the said relationship was a consensual relationship. He has placed reliance of a case of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors).**

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, Ara in connection with Mahila P.S. Case No. 101 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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