

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6116 of 2022

Arising Out of PS. Case No.-375 Year-2021 Thana- BUDDHACOLONY District- Patna

DILIP KUMAR Son of Late Ganesh Singh Resident of House No. - 224/2,
G.L.A. College, Hanumannagar, Village Baralota, P.S. - Medninagar, District
- Palamu (Jharkhand) at present posted as Gas Bottling Plan, Indian Oil,
Gamharia, P.S. - Gamharia, District - City Jamshedpur, Saraikela Kharsawan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Akhilesh Dutta Verma, Advocate
For the Opposite Party/s	:	Mr. Ramchandra Singh, APP
For the informant	:	Mr. Shiv Nandan Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

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

The petitioner is apprehending his arrest in a case
registered under Sections 379, 420, 406 and 376 of the Indian
Penal Code.

The prosecution allegation, in short, is that the
petitioner by abusing his position has established physical
relation with the informant.

It has been submitted on behalf of the petitioner that



the petitioner has two criminal antecedents and in both the cases, the petitioner has already been acquitted by the Trial Court. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the allegation, the physical relationship between the petitioner and the victim was established on the assurance of marriage. Learned counsel for the petitioner submits that the said relationship was a consensual relationship between the parties. For one reason or the other, marriage could not be solemnized. He has placed reliance on cases of the Hon'ble Supreme Court since reported in **2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)** and **(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and 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) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Budha Colony P.S. Case No. 375/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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