

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29951 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- MAHILA P.S. District- Patna

NARENDRA KUMAR SON OF NARAYAN CHAUDHARY R/O
VILLAGE- SIKANDARPUR, P.S.- SAHPUR, DISTRICT- PATNA,
PRESENTLY RESIDING AT FLAT NO.- 403, PRATIMAPUSPA
APARTMENT, WEST PATEL NAGAR, P.S.- SHASTRINAGAR,
DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr.Adv. Mr. G.C. Jha, Adv. Mr. S. N. Pathak, Adv. Mr. Ashish, Adv.
For the Opposite Party/s :		Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-12-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 342, 323, 376, 313, 328, 494 and 506 of the Indian Penal Code.

As per the prosecution case, it is alleged that this petitioner, by mixing a drugs in the drink of informant, forcibly established physical relation with her and also made video of the incident and thereafter, started blackmailing her and ultimately, the informant under pressure solemnised marriage with petitioner in a temple on 05.12.2019. It is further alleged that the informant, having coming to know about two wives and



children of petitioner, confronted with this petitioner, then he assaulted her and kept her in confinement and also threatened to kill her.

It is submitted on behalf of petitioner that from bare perusal of F.I.R., it is apparent that no case under Section 376 of the I.P.C. is made out against this petitioner. The victim (informant) has already solemnized marriage with this petitioner on 05.12.2019 and they enjoyed each other's company and indulged in sexual act for years together, therefore, it cannot be said to be induced or involuntarily. The age of the informant is 28 years. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the long period of relationship between the parties and the fact that both of them performed marriage, no case under Section 376 IPC is made out against the petitioner coupled with the fact that petitioner has got clean antecedent, the prayer for anticipatory bail of petitioner is allowed. Let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Judicial Magistrate 1st Class, Patna in connection with Mahila
P.S. Case No. 31 of 2022, subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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