

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45601 of 2021

Arising Out of PS. Case No.-356 Year-2020 Thana- DUMRA District- Sitamarhi

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GAURAV KUMAR S/O LATE DINKAR PASWAN R/o village- Riga, P.S.-
Riga, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 376 of the IPC.

The allegation against the petitioner is of sexually exploiting the informant for eight years on the pretext of marriage and later on he has refused to marry the informant. It is also alleged that when the informant got pregnant, he gave her medicine for abortion.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence as alleged has ever taken place. It is submitted that the informant is a major girl and earlier also, she had filed a similar case bearing Aurai P.S. Case No.65 of 2011 u/s 366, 366(A), 376, 313, 34 of the IPC against her cousin brother Rakesh Paswan, wherein also she had alleged that Rakesh Paswan had kidnapped her for the purpose of marriage and took her to Kolkata, where she got married to him and even got pregnant, but subsequently Rakesh Paswan gave her some medicine due to which, she aborted. In the aforesaid case her statement was recorded and she had supported the version of the FIR. Petitioner has been accused with a view to harass and pressurize him to marry the informant. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the informant is a major and is a consenting party, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.



25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dumra P.S. Case No.356 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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