

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52208 of 2021

Arising Out of PS. Case No.-44 Year-2021 Thana- MAHILA P.S. District- Patna

RAVI KANT MISHRA S/o Sri Mithilesh Mishra Resident of Gayatri Nagar,
Village - Kurthaul, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nand Lal Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajeev Nayan, App
For the Informant	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 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 323, 376, 420, 379 and 34 of the
Indian Penal Code.

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

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 falsely been implicated in the present case. The petitioner is alleged to have established physical relationship with the informant on the assurance of marriage. Subsequently, the petitioner refused to marry with the victim and for the said reason, the present case has been instituted. Learned counsel for the petitioner submits that the said relationship was a consensual relationship. 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 and the informant, 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 Judicial Magistrate, 1st Class, Patna in connection with Gardanibagh



Mahila P.S. Case No. 44/2021, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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