

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60873 of 2021

Arising Out of PS. Case No.-289 Year-2021 Thana- KUDHNI District- Muzaffarpur

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SANOJ KUMAR, S/o- Rajgir Rai R/o Village- Shekhopur Dhadhiya, P.S.-
Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 341, 420, 323, 307, 406, 376, 365, 504 and
506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 22.04.2021, he is a person with clean
antecedent, charge-sheet has been submitted and the informant
alleges that she had taken admission in U-Like English Spoken
Classes where she came in contact with the petitioner who
fraudulently took Rs. 3 lakhs from the informant on the pretext of
getting her a job, further it is alleged that the petitioner even got her
employed but took all her earnings and even established sexual
relation on pretext of marriage. It is next alleged that the petitioner
refused to marry her and even threaten, but the informant somehow



managed to escape and came back home but the petitioner called and threatened and he will kill her family members, further on 20.04.2021 the petitioner called her at Baliya over bridge on the pretext of returning her money and when informant reached the place of occurrence, he tried to abduct but was saved by local people who gathered on hearing her cry.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the petitioner and the informant were known to each other and being major, they took conscious decision of entering into relationship which became physical, the learned counsel submits that it absolutely does not stand to reason that when the petitioner took Rs. 3 lakhs from the informant then why no FIR came to be instituted, further if the petitioner took all her earnings, why the informant did not protest or object, the learned counsel next submits that it absolutely does not stand to reason that the informant as alleged after having escaped from the clutches of the petitioner would have again gone to meet him on his call for returning money, the learned counsel submits though in the FIR, it is alleged that the informant rescued herself and came back home but the allegation is completely salint as to when it happened. The



learned counsel submits that deliberately the date has not been given in order to make out the case substantially by alleging that on 20.04.2021, she was called and the occurrence as alleged took place. The learned counsel for the petitioner further submits that even the informant refused for her physical check up by the doctor.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact the petitioner is in custody since 22.04.2021, he is a person with clean antecedent, charge-sheet has been submitted and taking into consideration the submissions made by learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kudhani P.S. Case No. 289 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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