

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3189 of 2023

Arising Out of PS. Case No.-109 Year-2022 Thana- MAHILA P.S. District- Patna

DR. RAJEEV KUMAR RANJAN Son of Shri Ramdeo Rajak R/o Ward No. 03, Hasanpur Bazar, P.O.- Hasanpur Sugar Mills, P.S.- Hasanpur, District- Samastipur at present residing at Room No. G-25, Chanakya P.G. Boy's Hostel, P.M.C.H. P.S.- Pirbahore, District- Patna. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr. Arun Kumar, Advocate
For the Informant	:	Mr. Anand Kumar, Advocate
For the State	:	Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-07-2023 Heard Mr. Ramakant Sharma, learned senior counsel assisted by Mr. Arun Kumar for the petitioner and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376/34 of the Indian Penal Code and Section 3 & 4 of the Dowry Prohibition Act.

3. The allegation against the petitioner is that he committed rape against the informant on the false pretext to solemnize marriage with her.

4. It is submitted by learned senior counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior



motive. It is further submitted that the present case has been filed only to pressurize the petitioner so that he can succumb to the pressure of the informant and her family members to fulfill their illegal demands. It is further submitted that it is true that the engagement was solemnized on 23rd of July, 2021 but, after solemnization of the engagement between them, it revealed that the informant does not belong to the same caste and her integrity was doubted, hence the negotiation of marriage was broken to which both of them duly accepted but, subsequently, in a very surprising manner, this false F.I.R. has been lodged. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that informant is a major and she is a doctor and capable of being to take just and appropriate decision about her. In buttress of his submission, learned senior counsel placed reliance on the judgment passed by the Hon'ble Apex Court in the case of Ansaar Mohammad Vs. The State of Rajasthan and Anr. being Cr. Appeal No.962 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. On the previous occasion, it was orally directed by this Court that both the parties can amicably settle their dispute out of Court and inform accordingly by the next date



but informant has changed her Lawyer today.

6. Learned APP assisted by learned counsel for the informant vehemently opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case as well as the fact that after giving proper opportunity the parties could not settle the dispute out of the Court and the fact that informant is a major and doctor, 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 Mahila P.S. Case No. 109 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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