

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14616 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- MAHILA P.S. District- Patna

Ranjit Kumar Son Of Santosh Kumar R/V- Dumra, P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.K. Verma, Sr. Advocate Ms. Rashmi Bharti, Advocate Mr. Ajit Kumar Ojha, Advocate
For the Opposite Party/s	:	Mr. Mushtaque Alam, APP
For the Informant	:	Mr. Ravi Rohit, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376, 506 and 406 of the Indian Penal Code.

As per the prosecution case, the petitioner gave the informant an offer to get her a government job and for which the petitioner demanded Rs. 1 lakh from the informant. It is next alleged that believing the same to be true, the informant gave Rs. 1 lakh in cash to the petitioner, upon which the petitioner used to regularly call the informant on her phone and after some days even proposed the informant for marriage. It is further alleged that the petitioner established physical relationship with the informant for the next 2 years on the pretext of solemnizing marriage with her. When the informant told him to marry her,



the petitioner completely denied and even threatened the informant to upload her obscene images over social media and threatened of dire consequences.

Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the present allegation would manifest from the fact that the informant has alleged that the petitioner established physical relationship with her on 13.09.2020 and, thereafter, kept on establishing physical relationship with her for the next 2 years on the pretext of solemnizing marriage with her, but despite that still the informant instituted the present FIR after lapse of more than 2 years, this itself is a strong indicator of the fact that the present FIR is a result of vendetta, revenge and misplaced anger as in any circumstance no person would wait for 2 years for instituting a case of such nature. He further submits that even though the informant alleged that she had paid Rs. 1 lakh to the petitioner, however, she has failed to produce any evidence in this regard as to when and where did she pay the said amount, this amply demonstrates that the said allegation is mere ornamental in nature. Learned Senior



Counsel for the petitioner in support of his submission has also relied on a judgment of the Hon'ble Apex Court in the case of *Ansaar Mohammad vs. State of Rajasthan and another* reported in *AIR 2022 SC 3478*. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, arguments of the parties and the judgment cited by learned Senior Counsel for the petitioner, 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. 131 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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