

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21937 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- MAHILA P.S. District- Madhubani

MANORANJAN KUMAR MAHTO S/O MAHENDRA MAHTO Resident
of Village- Chanauraganj, P.S.- Jhanjharpur, District- Madhubani.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Baleshwar Kamat
For the Opposite Party/s	:	Mr. Dr. Kumar Uday Pratap
	:	Mr. Shailendra Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-06-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 376, 420, 323, 341, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioner is that he made physical relationship with the informant on the allurements of marriage and taken Rs.2,50,000/- from the informant on the pretext of getting training in G.N.M. but neither she was trained nor the money was returned to the informant. It is further alleged that when the informant reached at the house of the informant she was abused, assaulted and refused to marry by the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the informant is an adult and with the consent of the informant the physical relationship was made by the petitioner. He relied upon the judgment of Hon'ble Apex Court passed in the case of '*Pramod Suryabhan Pawar Versus State of Maharashtra and another (2019) 9 SCC 608*'. He further submits that petitioner has never gone to the house of the informant nor he took any amount from her. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State along with learned counsel for the informant opposes for prayer for bail.

Considering the arguments of the parties and perusal of the record and the ratio laid down by the Hon'ble Apex Court passed in *Pramod Suryabhan* (supra) case, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with



Mahila P.S. Case No.02/2023 subject to the condition as laid
down under Section 438 (2) of/the Cr.P.C.

(Anjani Kumar Sharan, J)

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