

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40630 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- AKBARPUR District- Nawada

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Anand Raj S/O Dharmendra Singh @ Lallu Sir R/O Village- Paharpur, P.S-
Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Sri N.K.Agrawal, Sr.Adv. Mr. Amresh Kumar Sinha Mr.Saroj Kumar Choudhary
For the Opposite Party/s :		Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-09-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 506, 366, 376/34 of the Indian Penal Code.

3. According to F.I.R., the informant has alleged that on 30.06.2019, she came in contact with petitioner through Facebook and fell in love with him and on the pretext of marriage, this petitioner established physical relation with her for the last four years. It is further alleged that on 13.01.2022, family members of petitioner demanded Rs. 25 lacs, as dowry, and refused to marry. It is next alleged that when informant and her maternal uncle went to house of petitioner, they were abused and assaulted by petitioner & his family members. This petitioner also threatened informant with dire consequences.



4. It is submitted on behalf of petitioner that victim (informant) is major and both of them were in love affairs. They were in relationship with each other for quite some time and enjoyed each others company. It is further submitted that from perusal of the F.I.R., it is apparent that both of them engaged in sexual activity for quite some time, which cannot be said to be induced and involuntary. There was tacit consent, which was not result of any misconception. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Akbarpur P.S. Case No. 106 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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