

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52417 of 2023

Arising Out of PS. Case No.-367 Year-2022 Thana- RAFIGANJ District- Aurangabad

ANKUR KUMAR @ PRINCE KUMAR GUPTA S/O SANJAY GUPTA @
YOGI R/O MOHALLA- MAIN ROAD, RAFIGANJ, P.O AND P.S-
RAFIGANJ, DISTT.- AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2023 Heard Mr. Ranjit Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor appearing for the State.

2. Petitioner apprehends his arrest in connection
with Rafiganj P.S. Case No. 367 of 2022 registered for the
offence punishable under Sections 341, 342, 354, 354-B,
376/511, 496 and 389/34 of the Indian Penal Code.

3. As per the First Information Report, the petitioner
developed friendship with the informant through social media
and introduced him as Software Engineer, took the informant in
love trap and on the pretext of sight seeing, the petitioner got
her seated her in a car and took her to the temple at Gaya and
forcibly married with the informant against her will. It has



further been alleged that the petitioner also established physical relationship with the informant.

4. Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of concocted story and he has not committed any offence in the manner alleged. He further submits that the petitioner and the informant became friends through social media which turned into love between them, and subsequently, on 22.8.2022, the petitioner and the informant solemnized marriage in a temple voluntarily and a certificate to this effect was issued by the Temple Trust which has been enclosed as Annexure-P/2 to the bail application.

5. Referring to Annexure P-2/A learned counsel for the petitioner submits that an affidavit has also been sworn jointly by the informant and the petitioner stating therein that both have solemnized marriage on 22.8.2022 on which both have signed. Learned counsel next submits that some photographs which have been enclosed as Annexure P-2/B will go to show that the marriage of the petitioner with the informant was not solemnized forcefully and after one and half months of the marriage, on the pressure of the family members of the girl/informant, the present First Information Report has been



lodged against the petitioner.

6. Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that after one and half months of the marriage the FIR has been lodged and in the affidavit petitioner as well as the informant both have signed which was prepared just one day after the marriage, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 367 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

