

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65303 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- MAHILA P.S. District- Patna

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Raushan Kumar @ Raushan Mahto @ Roshan Kumar, S/o Late Ramji Mahto,
R/v- Pratap, P.S.- Mehandiganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner is apprehending his arrest in connection with Patna Mahila P.S. Case No. 53 of 2022 registered for the alleged offences under Sections 366, 323, 341 and 379 of the Indian Penal Code.

As per prosecution case, the petitioner took away the informant on some false pretext and solemnized marriage with her and thereafter threw her out of her house while retaining her purse and mobile phone.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is quite vague and no details have been mentioned in the FIR. True fact of the



case is that petitioner and brother-in-law of the informant reside in same village and are good friends and one day the informant went to the house of her brother-in-law where she met with this petitioner and asked him to give his mobile number, but the petitioner denied, then the informant somehow took the mobile number of the petitioner. Learned counsel further submits that after getting the mobile number of the petitioner, the informant started talking with him and after sometime she started pressurizing the petitioner to marry her and when the petitioner refused to marry her, she falsely implicated the petitioner and his entire family members in this case. For the aforesaid reason, the co-accused mother of the petitioner gave an Informatory Petition No. 1119 of 2022 against the informant before the learned A.C.J.M., Patna City. Petitioner has no concern with the informant and he never married with her and the whole story of his marriage and throwing out the informant from the house is false and concocted. Learned counsel further submits that petitioner is the only son of his widowed mother and is a Hawaldar in C.R.P.F. Other family members of the petitioner have been granted anticipatory bail by the learned trial court.

Learned APP opposes the prayer for anticipatory bail.

Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and also considering the possibility of false implication, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Patna in connection with Patna Mahila P.S. Case No. 53 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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