

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73707 of 2022

Arising Out of PS. Case No.-689 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

MANJEET KUMAR PANDEY @ MANJEET PANDEY S/O
DHARMENDRA PANDEY Resident of Mohan Kothiya, P.S.- Dariyapur,
District- Saran (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kr Singh No.1, Advocate
For the Opposite Party/s :	Mr. Nitya Nand Tiwary, A.P.P.
For the Informant :	Mr. Jitendra Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 27-07-2023 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376,
506/34 of the Indian Penal Code as well as Sections 3 and 4 of
the Dowry Prohibition Act.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. The informant alleges that she came in contact with
the petitioner who is posted in Bihar Fire Fighting Service at
Purnia thereafter on assurance of marriage the petitioner
established physical relations with her for two years. It is further
alleged that when the informant asked to marry the petitioner
demanded Rs.15 lakhs in cash by way of dowry and a bullet



motorcycle and on non-fulfillment of the same he refused to marry.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and from bare perusal of the tenor of the allegation as alleged in the FIR, it would manifest that the informant and the petitioner came in contact and thereafter the petitioner on assurance of marriage established physical relation with her. Learned counsel submits that it absolutely defies all logic, wisdom and reasonable behaviour that the informant merely on promise of marriage would have indulged in establishing physical relation. It is further submitted that it absolutely does not stand to reason that the informant for two years was not able to comprehend or realize that the petitioner does not intent to marry her. It is next submitted that both the petitioner and the informant are adults, relationship was consensual i.e. two adults came together and decided to enter into a relationship and when the relationship soured the present false case came to be instituted.

6. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that as to why the informant



merely on promise of marriage entered into the physical relationship and why she continued in the relationship for so long i.e. for nearly two years without realizing that the petitioner will not marry her.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Chapra Mufassil P.S. Case No. 689 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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