

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12527 of 2024

Arising Out of PS. Case No.-241 Year-2022 Thana- MANIYARI District- Muzaffarpur

Ravish Kumar S/o Bindeshwar Paswan R/o Village - korigama, P.S. - Sakra,
Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 14-03-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Maniyari Police Station Case No. 241 of 2022, dated 01.08.2022, disclosing offences under Sections 315/376/420 of the Indian Penal Code.
3. The prosecution case, as per the complaint-cum-First Information Report, is that in the matrimonial home of Vibha Devi, the complainant-informant was introduced to the petitioner in the year 2016 with a marriage proposal. The informant-complainant agreed to marry the petitioner. Taking advantage of it, the petitioner established physical relationship with the informant-complainant. The informant became pregnant, but the



accused persons administered pills to her and aborted her pregnancy in the year 2021.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case in order to pressurize him to perform marriage with the informant-complainant. The matrimonial home of the cousin sister of the petitioner is in the village where the informant resides. He next submits that the petitioner is not a resident of the village, where the informant lives. The relationship between the petitioner and the informant went on for a very long period time i.e. for about more than six years. For the incidence, which has allegedly taken place at first time in the year 2016, First Information Report has been lodged in the year 2022, which is after six years. Learned counsel further submits that there is no allegation in the First Information Report that from the very inception the intention of the petitioner was not to marry the informant and the fact that relationship continued for a very long time gives rise to presumption that relationship between them was consensual.
5. Regards being had to the submissions made on behalf of



the parties and taking into consideration the fact that relationship between the petitioner and the informant continued for a very long period of time i.e. about six years and there is no allegation in the First Information Report that from very inception, the petitioner’s intention was not to marry the informant, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 Judicial Magistrate 1st Class, Muzaffarpur West, in connection with Maniyari Police Station Case No. 241 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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