

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22607 of 2024

Arising Out of PS. Case No.-375 Year-2022 Thana- MASHRAK District- Saran

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Dhiraj Kumar @ Dhiraj Paswan Son of Baikuntha Resident of Village-
Madarpur Bazar, P.S. - Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raushan Raj

For the Opposite Party/s : Ms. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-04-2024 1. Heard learned counsel for the petitioner Ms. Ankita
Kumari and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 366(A) of
the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant, who is mother of the victim. It is next submitted that
petitioner was in love with the victim and they eloped together
on 24.07.2022. It is further submitted that even informant was
aware that the victim has eloped with the petitioner and this
perhaps explains why the F.I.R. came to be instituted on
01.08.2022 i.e. after a delay of more than 7 days. It is further
submitted that the victim came back and her statement was



recorded under section 164 Cr.P.C., wherein she disclosed her age as 19 years. The learned counsel next submits that she has a copy of the statement of the victim recorded under section 164 Cr.P.C. and the same was also shown to the court for its perusal. It is next submitted that from perusal of the statement of the victim recorded under section 164 Cr.P.C., it would manifest that the victim in her statement has not even remotely suggested that petitioner indulged in any kind of sexual relationship rather it appears that the victim very wisely got her statement recorded with a view not to implicate the petitioner though the 164 Cr.P.C. statement was recorded under parental pressure.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 trial court where the case is pending/successor court in connection with Mashrakh P.S. Case No.375/2022, subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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