

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24958 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- PAHARPUR District- East Champaran

Arjun Kumar S/O Bira Prasad R/O Village - Noniya Mahto Tola, P.S. -
Paharpur, District - East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Paharpur P.S. Case No.373 of 2023 under Sections 420, 376, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against four named accused persons including the petitioner against whom there is allegation that he went Ahmedabad, Gujarat with the petitioner and they solemnized marriage in temple and begin their conjugal life, but subsequently, after few months, the informant was thrown by him near the native village from where she returned back to her parents.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the alleged victim has been recovered and upon recovery, she has narrated her statement under section 164 of Cr.P.C. The operative part of the statement has been acknowledged by the Sessions Court in the rejection order of the bail of the petitioner and it has been acknowledged that the informant has stated that her father was arranging her marriage with one aged person with whom she was not ready for it, and therefore, she fled away to her *Buwaa* house. She also requested her Buwaa not to inform about it to her parents thereafter her Buwaa has taken her to her house. The villagers came to her house and managed to lodge a false case by her by taking her thumb impression on a blank paper.

5. Counsel further submits that it is also acknowledged in the rejection order by the learned court that medical board assess the age of the victim more than 22 years and no external injury has been found on her body.

6. Counsel also submits that antecedent of the petitioner is clean.

7. Learned APP for the State opposes the prayer for bail.

8. In the present facts and circumstances, let the above



named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-11th, East Champaran at Motihari in connection with Paharpur P.S. Case No.373 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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