

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37409 of 2024

Arising Out of PS. Case No.-195 Year-2022 Thana- DURAULI District- Siwan

Sushil Kumar @Sushil Kumar Ram Son of Ram Prit Ram Resident of village-
Kumhti Bhirauli, Police Station- Darauli, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narayan, Sr. Adv.
Mr. Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2024 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. Earlier the anticipatory bail application of the petitioner was dismissed as withdrawn by this Court vide order dated 09.02.2023 passed in Cr. Misc. No. 3161 of 2023.

3. The petitioner seeks bail in a case registered for the offence punishable under Sections 417, 376 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that the petitioner, on the pretext of marriage, established physical relationship with the informant. It is further alleged that in year 2021, she became pregnant which was aborted by the accused persons.

5. Learned senior counsel for the petitioner submits that petitioner is quite innocent and has been falsely



implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that from bare perusal of the F.I.R. it would appear that the informant is major girl aged about 24 years, who wants to marry with the petitioner, but the family members of the petitioner was not ready to solemnized marriage with the informant. The petitioner has no criminal antecedent and has been languishing in custody since 15.04.2024.

6. Learned APP for the State opposed the bail petition.

7. Considering the facts aforesaid and the ratio laid down by the Hon’ble Apex Court in the case of *Ansaar Mohammad vs. State of Rajasthan & Anr.* (Criminal Appeal No. 962 of 2022), the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Darauli P.S. Case No. 195 of 2022.

(Anjani Kumar Sharan, J)

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