

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37015 of 2024

Arising Out of PS. Case No.-25 Year-2023 Thana- AANDAR District- Siwan

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AMRENDRA KUMAR SINGH @ AMRENDRA SINGH @ AMRENDRA
S/O RAVI @ RANJIT SINGH R/O VILLAGE- CHHAJAWA BALIA, P.S-
ANDER, DISTT.- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 493, 341, 376, 323,506/34 of the IPC in connection with Ander P.S. Case No.25 of 2023.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that the informant alleges that she was in a relationship with the petitioner for the last five years. Further petitioner was unemployed while informant was earning and use to bear all the expenses of the petitioner. Further they also has intimate physical relationship on account of which the informant



got aborted twice. Further alleges that when she had gone to the house of the petitioner she was locked and the accused persons snatched her mobile and deleted all the records. Thereafter, the accused persons assaulted her on the pretext that she had come to the house for committing theft and also threatened that the petitioner is to get married after two days as such if she creates any disturbance she will be killed.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant herself accepts that she and the petitioner were in a relationship for the last five years. It is also submitted that it absolutely does not stand to reason that if petitioner had no intention to marry the informant, in that event the informant would have realized the same in the beginning of the relationship itself as she claims that she was working from before. It is next submitted that no doubt the petitioner and the informant were in a relationship but then there was no promise of any marriage and whatever happened, happened between two consenting adults, it is also submitted that informant never became pregnant but only to give seriousness to the case the said allegation has been alleged. It is also submitted that it is easy to allege rape but difficult to prove. It is next submitted that



the statement of the victim till date has not been recorded under Section 164 Cr.P.C.

5. The learned APP opposes the anticipatory bail application, but then fairly submits after perusing the case diary that the victim was called more than four times by the Investigating Officer for getting her statement recorded under Section 164 Cr.P.C., but then she never appeared.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Siwan in connection with Ander P.S. Case No.25 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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