

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60761 of 2024

Arising Out of PS. Case No.-72 Year-2023 Thana- SONPUR RAIL P.S. District- Saran

Parmod Kumar Ram Son of Rajendra Ram R/V- Village- Shapur, P.S.-
Sonpur, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi D/o- Late Doordarshan Ram R/V- Village- Jatiya, P.S.- Sonpur,
Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem
Mr. Shakti Suman Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-10-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 376, 406,
420, 379, 323, 120B of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that she is a widow, her husband died on 10-1-2013 and
after the death of her husband, she used to go her in-laws house
for performing house hold duties and during this period, she met
the petitioner who was working as a T.T.I from Sonpur to
Katihar Junction. It is next alleged that slowly friendship
developed and the petitioner took Rs. 5 lakh from the informant



by way of loan on pretext that he is in need of money. It is also alleged that petitioner established physical relation with the informant on two occasions in the waiting room of Katihar and Sonapur Station. It is next alleged that when the informant demanded her money back, the petitioner assured that he will take care of her, but later the informant realised that petitioner was not interested in her rather was more interested in her property which she had.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that from perusal of allegation as alleged in the FIR, it would manifest that the thrust of the allegation is that petitioner had taken a loan of Rs. 5 lakh from the informant and when he did not return the amount, the instant case came to be instituted, but then it is submitted that from perusal of allegation as alleged in the FIR, it would manifest that the same does not even remotely record that the date on which the money was given. It is further submitted that the relationship was purely consensual with no promise of marriage, nor the informant, in the FIR, alleges that petitioner ever established physical relations with her on pretext of marriage. It is next submitted that the statement of the informant was recorded under Section



164 Cr.P.C (Annexure-2) and from perusal of the same, it would manifest that the informant herself has stated that she does not intend to pursue the case any further as the relationship in between her and the petitioner has become cordial and the money has also been returned.

5. The learned counsel appearing on behalf of the informant also does not dispute Annexure-2 to the anticipatory bail application.

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 trial court 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 Rail Sonpur P.S. Case No. 72 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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