

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59259 of 2024**

Arising Out of PS. Case No.-138 Year-2019 Thana- PALASI District- Araria

Md. Jawed @ Paltu @ Jawed S/O Md. Yasin R/O Village- Haiyya Tola  
Gayaspur, Ramnagar, P.S- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumar Ravish, Advocate  
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      09-09-2024                      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 341, 363, 366, 504 and 34 of the IPC in connection with Palasi P.S. Case No.138 of 2019.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and this is his second anticipatory bail application.

4. It is further submitted that earlier petitioner had moved this Court seeking anticipatory bail by filing Cr. Misc. No.46493 of 2021 and the same came to be rejected by an order dated 27.01.2022. Learned counsel further submits that informant alleges that petitioner had abducted his married daughter for the purposes of marriage. It is next submitted that



from perusal of the allegation as alleged in the FIR, it would manifest that informant himself has alleged that his married daughter along with two children had come to his house and the victim had gone to attend nature's call but she did not return. Thereafter, a search was made when informant came to know that his daughter has been enticed by the petitioner for the purposes of marriage.

5. It is next submitted that the allegation as alleged in the FIR in itself reflects that the petitioner and the victim were known to each other and thus the informant went to the house of the petitioner for inquiry when it is alleged that his father also abused him. It is further submitted that after sometime the victim came back and her statement was recorded under Section 164 Cr.P.C., but then under pressure of her father and husband she alleged that she was taken to Delhi by the petitioner where she was confined in a room and raped.

6. The learned counsel next submits that after the anticipatory bail application of the petitioner came to be rejected the victim realized her mistake and thereafter filed a compromise petition before the learned Trial court along with her father which is Annexure-P/3 at page-21. It is submitted that the compromise is dated 17.05.2024. The learned counsel



submits the petitioner is a person with clean antecedent and might have committed a wrong in eloping with a married women, but then victim was also a major and the relationship was consensual, but under pressure of the informant and her husband statement of the victim was recorded under Section 164 Cr.P.C. and victim later realizing her mistake filed a compromise along with the informant, as such no useful purpose would be served by sending the petitioner to jail.

7. The learned APP opposes the anticipatory bail application.

8. 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, Araria in connection with Palasi P.S. Case No.138 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the genuineness of the compromise from the informant, if



the informant disputes the genuineness of the compromise, in that event, the present anticipatory bail order shall not be given effect to.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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