

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62457 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- AMAUR District- Purnia

Sudhir Kumar Son of Sharaf Lal @Sharaf Lal Vishwas @ Manoj Kumar
Resident of Village - Bagdar, Ward No.- 06, Dhurpailli, Police Station -
Amaur, District - Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hansh Kumari @ Hansha Kumari Daughter of Manoj Pandit @ Manoj
Kumar R/o Dhurpeli, Ward No.- 6, P.S. - Amaur, District - Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 16-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant, Mr. Amit Kumar Anand.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 376 of the
Indian Penal Code.

3. 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 from perusal of the allegation as alleged in the
F.I.R., it would manifest that the informant alleges that she was
in a relationship with the petitioner and the petitioner had made



a false promise of marriage and used to establish physical relations, it is further alleged that for the first time, the petitioner established physical relation with the informant on 10.11.2023 and thereafter they used to meet at lonely places and establish physical relationship and the informant used to make excuses in the house for meeting the petitioner, further on 23.04.2024, the father of the informant saw the petitioner and the informant in a compromising position when the petitioner fled from the place of occurrence after pushing the father of the informant, thereafter the instant FIR came to be instituted.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that petitioner and the informant who are major, were in a consensual relationship and the informant herself alleges that she used to make excuses in her house to meet the petitioner. It is next submitted that since father of the informant saw the petitioner and the informant in a compromising position, as such, the instant FIR came to be instituted with false allegation. It is next submitted that petitioner never made any promise of marriage and the relationship was absolutely consensual.

5. Learned A.P.P. for the State and the learned counsel



appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that had the father of the informant not seen them in a compromising position, perhaps the instant FIR would not have been instituted.

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 Amaur P.S. Case No. 187 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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