

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61453 of 2023

Arising Out of PS. Case No.-305 Year-2023 Thana- CHANPATIA District- West Champaran

Ranjeet Kumar Pandey @ Ranjeet Pandey @ Barku @ sanjeet Kumar Pandey, aged about 21 years, Male, S/O Kanhaiya Pandey, R/O Village-Pipra, P.S. Chanpatia, Dist. West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Namrata Mishra, Advocate

For the Opposite Party : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 12-02-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chanpatia P.S. Case No. 305 of 2023 dated 16.05.2023 registered for the offences punishable under Sections 376, 313 and 120B of the I.P.C.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant on the pretext of marriage. When the informant put pressure on the petitioner to marry her, he denied. It is further alleged that when she became pregnant, she again put pressure on him then the petitioner's parents assured the informant's parents for marriage



if they will get abortion of the informant's child. When they got the informant's child aborted, the petitioner's parents threatened his son not to marry her and also threatened that if the case is filed against him they would be killed. Thereafter, the informant's parents also became enemy of her life. The informant's parents when got this information, they broken her mobile in which their joint photographs was available and also destroyed the SIM of the informant. The petitioner had also sent their photographs on the mobile of his friends.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner and the informant are major. It is submitted that the informant is the next door neighbour of the petitioner and due to some dispute, the present case has been filed by the informant against the petitioner. It is further submitted that a Panchayati was also held between the parties in the 'Gram Kachahari', Jaitiya, Pipra, for quarrel of road rasta and due to this reason, such serious allegation was made by the informant against the petitioner. The victim is a major girl who knew the consequence of the act of the petitioner. Learned counsel has further submitted that the victim girl and the petitioner chose to have physical relationship of



their own will. Learned counsel for the petitioner placed reliance on the judgment in the case of ***Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)*** in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not fulfilled.” The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No. 305 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

I. The petitioner is directed to remain



physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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