

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65498 of 2024

Arising Out of PS. Case No.-199 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Neeraj Kumar S/o J.K. Vishwakarma @ Jagdamb Kumar Vishwakarma R/o
vill - Balura, P.S. - Banshi, Distt. - Arwal, Present Residing at vill - Uphara,
P.S. - Uphara, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Tiwari, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Daudnagar P.S. Case No. 199 of 2024 dated 27.04.2024,
instituted for the offence punishable under Section 376/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The petitioner is alleged to have established
physical relation with the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that the alleged date of occurrence is of
10.12.203 whereas the complaint has been filed on 18.01.2024
without any plausible explanation for delay. It is submitted that
the complainant/informant is a married woman. The petitioner is
alleged to have made physical relation with the informant on the
pretext of marriage and when the petitioner refused to marry



her, the informant has lodged the present case. It is submitted that from a bare perusal of the F.I.R., it is apparent that no divorce decree was passed for dissolve of the marriage between the complainant/informant and her husband, namely, Dayanand Vishwakarma. It is submitted that the present case has been lodged not only against the petitioner rather also against the parents of the petitioner. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Daudnagar P.S. Case No. 199 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, Aurangabad, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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