

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64306 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- MAHILA P.S. District- Patna

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Pawan Kumar S/o Late Suresh Paswan R/o vill - Kaimshikoh Nahar, P.S. -
Kaimshikoh Nahar Chowk, Distt. - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 18-12-2024 Heard Mrs. Soni Shrivastava, learned counsel for the
petitioner and Mr. Dr. M.K. Gautam, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Patna Mahila P.S. Case No. 40/ 2024 dated 03.05.2024
registered for the offence(s) punishable under Section(s) 376,
506 and 313 of the IPC.

3. The main submissions advanced by learned counsel
for the petitioner are that admittedly the informant, who is said
to be the victim, was a major girl when she lodged the FIR and
it is also an admitted position that she remained in relationship
with the petitioner since the year 2017 and she lodged the FIR in
the year 2024 and the reason for lodging the FIR is refusal of
her marriage proposal by the petitioner and during the
investigation, the allegation as to causing miscarriage of the
informant by this petitioner does not get support from any kind
of evidence, in actual, there was consensual relationship in
between the petitioner and the informant. It is further submitted
that the petitioner is a young person having fair and clean



antecedent.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the facts and circumstances of this case as well as the above submissions advanced by the petitioner’s counsel and mainly taking into account the fact that admittedly, the informant who was a major girl at the time of lodging of the FIR, remained in relationship with this petitioner for seven years and during that period, she did not take any legal action against the petitioner in respect of the alleged physical exploitation and the petitioner is a young person having fair and clean antecedent, in my opinion, it is fit a case for grant of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail in connection with Patna Mahila P.S. Case No. 40/ 2024 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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