

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67778 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- KHAIRA District- Jamui

Rajkaran Kumar, Son of Parmeshwar Ram Resident of Village -Mahisona,
PS- Kabaiya, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2024 1. Heard learned counsel for the petitioner and
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 493, 376, 420, 323, 506/ 34 of the Indian Penal Code
and Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that petitioner, on pretext of marriage,
established physical relation for about four years and after he
got government job, he refused to marry the informant until
Rs.10 Lacs was given by way of dowry.

4. The learned counsel for the petitioner submits that
petitioner is cousin brother of the Bhabhi of the informant. It is



further submitted that the instant FIR arises out of a complaint case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant herself alleges that she was in relationship with the petitioner for the last four years and they even established physical relation. It is also submitted that the relationship was in between two consenting adults and was purely consensual. It is next submitted that it absolutely does not stand to reason that the informant in four years was not able to realize that the petitioner is not interested in marrying her. It is further submitted that the relationship was purely consensual with no promise of marriage. It is next submitted that after petitioner got job of a Constable, thereafter the instant false case came to be instituted. It is further submitted that when petitioner was unemployed, at that time the informant was not interested in marrying him, but it was only after he got the job that the present false case came to be instituted. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

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 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 Chief Judicial Magistrate, Jamui in connection with Khaira P. S. Case No.225 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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