

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68833 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- KODHOBARI District- Kishanganj

Dilnawas @ Dilnamaaj @ Dilanamaaj S/o Wahid @ Wahid Alam @ Hulman
Resident of Village -Sundarbari, Matiyari, P.S.- Terhagachh, Distt. -
Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Saahin Pravin D/o Rafiq Alam R/o vill - Kalpir, ward no. 3, P.S. - Kadawari,
Distt.- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raj Kumar, Adv.
For the O.P. No.2	:	Mr. Sarvottam kumar, Adv.
For the Opposite Party/s	:	Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-11-2024 Heard Mr. Raj Kumar, learned counsel for the

Petitioner and Mr. Savottam Kumar, learned counsel for O.P.

No. 2 and Mr. Ram Naresh Ray, learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with

Kodhobari P.S. Case No. 35 of 2024, dated 23.07.2024

registered for the offences punishable under Sections 69, 74,

351(2), 352 and 79 of the Bhartiya Nyaya Sanhita, 2023.

3. The main submissions advanced by learned counsel

for the petitioner are that the allegations levelled in the F.I.R. are

totally false. The informant is said to be 19 years old when she

lodged the F.I.R. and she accepted her lover affair with this

petitioner and recorded her statement under Section 183 of the



B.N.S.S. in which she did not support the allegations made in the F.I.R. It is further submitted that the informant wanted to marry the petitioner's brother-in-law which was being opposed by the petitioner and therefore, the F.I.R. was falsely registered against the petitioner and now a good relation has established between both the parties as the informant's wish to marry petitioner's brother-in-law has taken place and the informant has filed a compromise petition vide Annexure P/3 before the Trial Court. There is no criminal antecedent against the petitioner and the investigation has been completed against him.

4. Mr. Sarvottam Kumar learned counsel appearing for the informant, has accepted the good relation having established in between the parties and according to him the informant has not supported the allegations in her statement recorded under Section 183 of B.N.S.S.

5. Considering the above submissions and mainly the above stated fact that the informant who is said to be a major girl has not supported her allegations before the judicial magistrate while recording her statement and also taking into account the completion of investigation against this petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail



on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kodhobari P.S. Case No. 35 of 2024.

(Shailendra Singh, J)

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