

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69636 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- KURLIKOT District- Kishanganj

Mohsin @ Md. Mohsin Son of Salim Jawed - Village- Dhobibhitta Police
Station -Kurlikot District -Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Dhananjaya Nath Tiwari, Advocate Mr. Kumar Rajdeep, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. Arjun Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2024 Heard learned senior counsel for the petitioner and learned
A.P.P. for the State assisted by learned counsel for the
informant.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 376, 504 & 506 of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

3. The petitioner is said to have committed rape against the
informant on the pretext of marriage. A panchayati was held on
25.02.2024, where the family members of the petitioner
assured her to perform marriage but no such initiative was
taken till now. On the contrary, they demanded Rs.20 lacs as



dowry.

4. It is submitted by learned senior counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. It is further submitted that the real fact of the matter is that the informant's father brought his daughter's wedding proposal with the petitioner in the month of December, 2023 but the petitioner's father denied saying that he would like to do earlier his daughter's marriage. It is further submitted that the informant has also filed a petition before Mahila Helpline cum One Stop Center, Kishanganj and, thereafter, the Center Administrator of Mahila Helpline, Kishanganj enquired the matter and concluded that there was consented love affairs and no neighbour has supported the version of the prosecution. The allegation of viral video was also found false by the authority. It is further submitted that the allegation of demand of dowry to the tune of Rs.20 lacs has been ornamentally added. It is lastly submitted that the petitioner is a young boy of aged about 19 years and if he is being sent behind the bar his career will be ruined. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel



for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kurlikot P.S. Case No. 42 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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