

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71662 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- ARWAL MAHILA District- Jehanabad

Sunil Kumar S/o Nand Kishore Prasad R/o Village- Baidrabad, P.S.- Arwal,
District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Advocate Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Arwal Mahila P.S. Case No. 10 of 2024 dated 13.04.2024
instituted for the offence punishable under Sections 341, 323, 376,
506, 509 of the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner,
on the assurance of marriage, established physical relation with the
informant. In the meantime, the informant got pregnant which was
aborted by the petitioner by giving some medicine. Thereafter, the
petitioner refused to perform marriage with the informant. It is
alleged that the petitioner also threatened the informant with dire
consequences.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the informant is a married lady and her marriage was solemnized with one Satyendra Nat in the year 2019, but instead of residing with her husband, she had eloped with some other person regarding which an F.I.R. bearing Akhorigola P.S. Case No. 144 of 2019 was registered by his father. The said F.I.R. has been annexed along with this bail application as Annexure-P/2. The father of the informant himself has described about her character. The allegation against the petitioner is that he established physical relation with the informant on the pretext of marriage. It is apparent from the F.I.R.-Annexure P/2 that the informant was earlier married with Satyendra Nat and she remained in her *sasural* for about 12 days and thereafter she fled away from the house of her father for which a case was lodged by the father of the informant. The informant has alleged that she was in relationship with the petitioner. Thus, it is clear that she being a married lady was living in relationship with someone. She is a married lady and she cannot perform second marriage. Learned counsel for the petitioner submits that the entire allegation is false and fabricated. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has



opposed the prayer for anticipatory 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 Arwal Mahila P.S. Case No. 10 of 2024, he will be released on 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., Arwal, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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