

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72325 of 2024

Arising Out of PS. Case No.-434 Year-2024 Thana- MAJHAULIA District- West Champaran

Rahul Kumar Son of Upendra Prasad Village -Karamawa Ward no 7 PS
-Majhauria Distt -West Champaran Bettiah

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Her natural Guardian /Father Mukesh Kumar village- karamawa, Ward no. 7, Ps- Majhauriya, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Sundar Kumar
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 229-10-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Majhauria Police Station Case No. 434 of 2024, dated 02.07.2024, disclosing offences punishable under Sections 376/341/323/504/34 of the Indian Penal Code and Sections 4/6 of the Prevention of Children from Sexual Offences Act, 2012.

3. The prosecution case, as per the First Information Report, is that the petitioner established physical relationship with the informant on several occasions, who is minor, on the pretext of marriage. When the mother of the informant



came to know about this fact, she went to the house of the petitioner, where the petitioner, along with other co-accused persons, abused her and assaulted her.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case for the reason that the mother and maternal uncle of the informant went to the house of the accused persons with the proposal of marriage of the informant and the petitioner, but the accused persons denied the proposal due to the minority of the informant and frustrated by their denial, the present false First Information Report has been lodged against the accused persons. He further submits that there was love affairs between the informant and the petitioner and there is unexplained delay of about 41 days in lodging the present First Information Report.
5. On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that the informant is a minor girl and the allegations levelled in the present case is serious in nature inasmuch as that the petitioner on the pretext of marriage induced the minor girl and committed rape upon her.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration seriousness of



the offence and the fact that the petitioner, on the pretext of marriage, established physical relationship with minor girl, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

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