

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6919 of 2024

Arising Out of PS. Case No.-449 Year-2016 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Sujeet Kumar @ Sujeet Chaudhary @ Sajeet Chaudhary, Son Of Harendra
Baitha Resident Of Village- Balaur, Ps- Kurhani, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Muzaffarpur (Town) P.S. Case No. 449 of 2016, registered on 07.07.2016 for the offences under Sections 376 and 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. As per prosecution case, giving inducement of marriage, petitioner established sexual relationship with the complainant informant and later on refused to marry her. The petitioner and his father also demanded Rs. 5,00,000/- as dowry for solemnization of marriage.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The prosecution story is not believable that the informant remained in relationship with the petitioner for about four years and she did not make any complaint. There is no material on record to show that the petitioner established physical relationship or that he assured the informant for solemnization of marriage. No occurrence as alleged has ever taken place. Learned counsel further submits that for the sake of argument if it is taken that there was some physical relationship between the parties, apparently it was a consensual act on the part of the informant. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the delay in lodging of complaint petition and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Muzaffarpur/court concerned in connection with Muzaffarpur (Town) P.S. Case No. 449 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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