

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1458 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- MAHILA P.S. District- Vaishali

Bipin Kumar S/o- Shravan Sah Village- Kashipur, Rajapakar P.S. Rajapakar
Baranti OP Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Manisha Kumari Late Ramanand Das Village- Chanpura Chakmakrand
W.No-1, Ps- Bidupur Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satya Prakash Sinha
For the Respondent/s : Ms. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 24-09-2025 Heard learned counsel for the appellant and learned
Special P.P. Ms. Usha Kumari No.1. No one appears on behalf
of the respondent no.2.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for anticipatory bail by order dated
24.02.2024 passed by the learned Exclusive Special Judge
(SC/ST Act)-cum-Additional District and Sessions Judge,
Vaishali at Hajipur in A.B.P. No. 296/2024, in connection with
Mahila P.S. Case No. 34 of 2023, F.I.R. dated 25.11.2023
registered under Sections 376, 504, 506, 34 of the Indian Penal
Code, Sections 3(1)(r)(s)(w)(i), 3(2)(v) of the Scheduled Castes
and Scheduled Tribes Act and Sections 3/4 of DP Act.



3. It is next submitted that appellant is a person with clean antecedent and the informant alleges that for the last 3 years she was in a physical relationship with the appellant, as appellant had promised to marry her. It is next alleged that on 06.10.2023, informant requested the appellant to marry her when his friend Shubham and his brother Ajit abused her by taking caste name. It is next alleged that informant got an information that the appellant is getting married, accordingly, she came to his house, where family members of the appellant demanded dowry of Rs.3,00,000/- and a motorcycle.

4. Learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the relationship was consensual. It is next submitted that appellant had made it very clear in the beginning itself that his family would not permit marriage because of their different caste affiliation. It is next submitted that informant despite being aware of the said fact still continued in the relationship and when the marriage of the appellant was fixed, the present false case came to be instituted implicating the entire family members. It is also submitted that appellant will not abscond



rather will cooperate in the investigation to prove his innocence.

5. Learned Special Public Prosecutor opposes the prayer for anticipatory bail of the appellant.

6. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Satyavrat Verma, J)

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