

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24108 of 2025

Arising Out of PS. Case No.-615 Year-2024 Thana- ARA NAGAR District- Bhojpur

Mukesh Kumar Son of Gariban Rai @ Garib Rai Resident of Mohalla -Haldi Chapra Satana, Ward no 05, PS- Maner District -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
Mr. Kanishk Kaustubh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, A.P.P.
For the Informant : Mr. Raju Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner, informant and learned A.P.P. for the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Sections 376, 420 of the Indian Penal Code.

3. Prosecution case, in brief, is that elder sister of the informant was married with co-accused Vinay Kumar who is elder brother of this petitioner. This petitioner used to visit house of informant and became friends with her and thereafter, it is alleged that on false promise of marriage this petitioner established physical relationship with the informant. On 26.05.2024, when informant insisted for solemnization of



marriage, she was assaulted and thereafter, petitioner refused to solemnize marriage.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Petitioner has never visited the house of informant nor has made any physical relation with her. Medical report does not corroborate the allegation. Petitioner claims clean antecedent.

5. However, learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that there is specific accusation that this petitioner established physical relation with informant with false promise of marriage. Victim in her statement, recorded under Section 183 of the BNSS, has supported the prosecution case.

6. Considering the nature of accusation and statement of the victim recorded under Section 183 of the BNSS, prayer for anticipatory bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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