

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57933 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- MAHILA P.S District- West Champaran

Pramod Kumar Giri @ Pramod Giri S/O Shiv Shankar Giri Resident of Sagar
Pokhara, P.S.- Bettiah Town, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Sanjeev Kumar Shrivastava, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Umesh Chandra Verma, Advocate Mr. Hemant Ray, Advocate Mr. Harsha Shashwat, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-11-2025 Heard learned senior counsel appearing on behalf of
the petitioner, learned APP appearing on behalf of the State and
learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 64 and
351(2) of the B.N.S..

3. The prosecution case, in brief, is that this petitioner,
who happens to be neighbour of the informant, forcibly captured
the land of informant and got executed the sale deed in his
favour from father of informant. It is further alleged that for the
last six months, this petitioner has been raping the informant
and threatened not to disclose the ordeal to anyone.

4. It is submitted by learned senior counsel appearing



on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As per F.I.R. it is alleged that this petitioner continued to have physical relations with the informant for six months and at no point of time, she made any protest to any quarter. It is hard to believe that informant, being a well matured lady of 23 years, kept on bending to the demands of the petitioner that too for a period of 6 months without making any protest that the petitioner was exploiting her sexually. The prolonged relationship goes to show that there was never any element of force or deceit in the relationship. As a matter of fact, father of the informant had taken loan from the petitioner in different installments during the year 2018 to 2022 and after some time, when he was not able to pay back the loan, he executed his land appertaining to Khata No. 70, Plot No. 332 measuring 6 dhurs in favour of the petitioner on 07.12.2022 and after execution of the aforesaid sale deed, this false and concocted case has been lodged by the informant only with a view to put pressure upon the petitioner and extort more money. The medical report does not support the prosecution case and doctor has found no signs of recent sexual assault.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.



6. Considering the facts and circumstances of the case and materials that have surfaced during course of investigation, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Rape and POCSO Act, Bettiah, West Champaran in connection with Bettiah Mahila P.S. Case No. 10 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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