

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64194 of 2024

Arising Out of PS. Case No.-180 Year-2024 Thana- DAWATH District- Rohtas

Sanjeet Kumar Son of Paglu Pandit @ Shivnath Pandit Resident of Village -
Babhanaul, Police Station - Dawath, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali kumari D/o late Futun Sah, At _P.O.- Babhanaul, P.S.- Dawath. Distt-
Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 12-05-2025 Heard learned counsel for the petitioner, learned
counsel for the Opposite party no. 2 and the State.

2. Vide order dated 28.04.2025, the Investigating
Officer, Dawath P.S.Case No. 180 of 2024 was directed to be
personally present in the court along with case diary.

3. Today, the case diary along with statement of the
victim recorded under section 164 of the Cr.P.C are on the
record.

4. Petitioner is apprehending his arrest in a case
registered for the offences punishable under section 376 of the
Indian Penal Code.

3. The allegation made in the FIR is that the petitioner



aged 20 years used to stalk the informant aged 18 years and one day, he forcibly entered the house of the informant and committed rape on her. She even got pregnant and subsequently, upon disclosure of the same to her mother, the FIR was lodged on 23.05.2024.

4. Learned counsel for the petitioner at the outset submits that it is a case of long standing love affair between the petitioner and the informant and the allegation made in the FIR are not correct. It has also been stated that the FIR does not indicate any date, on which, the offence was committed. Further attention of the Court was drawn towards the statement of the victim recorded under section 164 of the Cr.P.C, upon perusal of which it would be clear that the informant/ victim girl has admitted that she was known to the petitioner for the last 6 years and was having love relationship and they were into physical relationship also which was established with consent. Thus, the informant made a conscious and informed choice as a result of consensual relation between two adults.

5. The learned APP for the State opposes the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances and also the statement of the prosecutrix under section 164



Cr.P.C, I am inclined to grant privilege of anticipatory bail to the petitioner, who is a young boy with no criminal antecedent. Accordingly, in the event of his arrest/ surrender within a period of four weeks from today the petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand)with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in connection with Dawath P.S .Case No. 180 of 2024, subject to condition as laid down under section 438(2) of the Cr.PC and subject to the further condition that the petitioner shall co-operate in investigation/ trial.

7. The presence of the Investigating Officer is dispensed with.

(Soni Shrivastava, J)

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