

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4635 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- MAHILA P.S. District- Samastipur

Rajiv Kumar Son of Late Ram Ratan Singh Resident of Vilalge- Bazidpur,
P.S.- Ujiarpur, Distt.- Samastipur

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Kanchan Kumari Bharti D/O- Sri Parmanad Ram Resident of Mohalla-
Barah Pattar, P.S.- P.O.- Samastipur Town, Distt.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mukesh Kumar , Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, Spl, PP
For informant	:	Mr. Piyush Kumar Pandey, Advocate
		Mr. Sanjay Kumar Tiwary, Advocate
		Ms. Aditi Shahi , Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-12-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 12.09.2024 passed in a case registered for the offence punishable under sections 376, 323 , 341 , 504, 506, 379 and 34 of IPC and sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act, 1989, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per F.I.R. this petitioner is alleged to have established physical relation with the informant on false promise of marriage and when informant asked the petitioner to marry her he refused to do so and on 27.06.2024 , when informant



went to the house of appellant then accused persons abused her by caste name and also assaulted her and co-accused Arun Kumar and Pinky Kumari snatched gold chain from her.

4. It is submitted on behalf of appellant that appellant is innocent and has committed no offence as alleged. There is delay of 10 days in lodging the F.I.R. for which there is no plausible explanation which itself creates doubt over the entire prosecution case . Appellant has falsely been implicated in this case by the informant only to put pressure to solemnize marriage with her. Appellant is government employee and claims clean antecedent.

5 . Learned counsel for the respondent No. 2 as well as learned special Public Prosecutor for the State opposed the bail and submitted that there is direct and specific allegation against this appellant that on the false promise of marriage , he established physical relation with informant on various occasions and later on refused to marry her and also abused her by caste name and assaulted her. The victim in her statement recorded under Section 164 Cr. PC has supported the prosecution case .

6. Considering the aforesaid facts, materials available on record, I do not find any reason to interfere with the



impugned order, accordingly this appeal is dismissed.

(Prabhat Kumar Singh, J)

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