

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75853 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- MAHILA P.S. District- Muzaffarpur

Niraj Kumar S/o RAMLAL SAH R/o vill - Mustafaganj, P.S. - Minapur,
Distt. - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Kumari @ Geeta Devi D/o Late Shankar Prasad R/o vill - Mustafaganj, P.S. - Minapur, Distt.- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Ram Anurag Singh, APP
For Opposite Party No.2	:	Mr. Dharendra Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 376, 420 and 34 of the Indian Penal Code.

3. As per prosecution case, informant alleged that on the false pretext of marriage, this petitioner established physical relations with her for three years and thereafter, refused to marry her.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that both petitioner and informant were major when the relationship developed and enjoyed each other's company for



three years and indulged in sexual act being fully aware of the consequences of the relationship and as such, the same cannot be said to be induced or involuntary. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, 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 C.J.M., Muzaffarpur in connection with Mahila P.S. Case No. 22 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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