

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87180 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- INDUSTRIAL District- Bhagalpur

Dharmendra Kumar Singh@ Dharmendra Kumar Son of Madan Singh
Resident of Village- Erua, PS- Lesliganj, District -Palamu (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Wife of Gyandev Jaiswal R/O-Rani Talab, PS- Zero Mile,
District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Krishna Kant Pandey, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For Opposite Party No.2	:	Mr. Ajit Maraiya, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 376, 420, 120B, 323, 504 and 506 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

3. The prosecution case, in brief, is that the complainant, who is a married lady, alleged that on the promise of marriage and providing job, this petitioner sexually abused her. It is further alleged that when she requested for solemnization of marriage, this petitioner demanded Rs. 10,00,000/- and lastly refused to marry her. It is further alleged that thereafter, this petitioner got married with another girl on



21.04.2024 and when the complainant protested, this petitioner assaulted and abused her.

4. It is submitted by learned senior counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. From bare perusal of the prosecution case it is apparent that relationship developed between the parties through social media and at the time when relationship developed between the parties, complainant was major, married and mother of one child. Both of them enjoyed each other's company 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 complainant 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 J.M. 1st Class, Bhagalpur in connection with Bhagalpur (Industrial Area) P.S. Case No. 89 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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