

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.141 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- LAURIA District- West Champaran

Meraj Miyan @ Meraj Alam Son of Late Jhapas Mian Resident of Village -
Maria, Ward No.10, P.S. - Lauria, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Khatoon Daughter of Md. Mumtaz Resident of Village - Dumra
Deoraj, Ward No.02, P.S. - Lauria, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner : Ms. Rashmi Jha, Advocate
For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 323, 199, 420, 406, 376, 384, 493, 504, 506 and 120B of the Indian Penal Code.

3. As per prosecution case, after negotiation, marriage of complainant was fixed with this petitioner and on 12.03.2023, all the accused persons, along with their 15 relatives, came to house of complainant and engagement ceremony was performed and marriage was fixed to be performed in the month of September, 2023. It is further alleged that on 30.07.2023, this petitioner came to house of the complainant and took her with



him to look after his ailing mother and on the pretext of marriage, established physical relations with her for one week. It is further alleged that in the meantime, this petitioner used to come to her house weekly and continued to have sexual intercourse with her and subsequently, all the accused persons started demanding Apache motorcycle as dowry and later on, refused to solemnize marriage for which a *Panchayati* was held to resolve the dispute but this petitioner refused to marry the complainant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. It is true that there was a negotiation for marriage in between the parties but the same could not materialize and on refusal by the petitioner, this false and concocted case has been lodged with ulterior motive. It is further submitted that the victim in her original statement recorded under Section 164 of the Cr.P.C. has not alleged any sexual act having been committed or even any illicit intercourse forced upon her by this petitioner. The present case has been lodged only with *mala fide* intention to mount pressure on accused persons to submit to the wishes of the complainant and her father. Petitioner claims clean antecedents.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, statement of victim recorded under Section 164 of the Cr.P.C. 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 Additional Chief Judicial Magistrate-1, Bettiah, West Champaran in connection with Lauria P.S. Case No. 172 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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