

**EXCLUSIVE SPECIAL COURT POCSO-III, MUZAFFARPUR**  
**{A.B.P. No. 2084/2026}**

**ORDER**

**09.07.2026** An application for grant of anticipatory bail filed on behalf of accused petitioner **1. Bablu Kumar** who is apprehending his arrest in connection with Bochaha P.S. Case No. 291/2024 u/s- 420, 375, 376 of IPC pending in the court of ACJM IX (East), Muzaffarpur is put up for hearing.

Heard learned counsel for the petitioner as well as Ld. Sp. P.P. for the state.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication also submitted that no anticipatory or regular bail petition on behalf of petitioner has ever been filed either in the Court of Sessions or before the Hon'ble Court, Patna. It is further submitted that the informant herself has not supported the fact of transferring the alleged money in her restatement in para 4 of case diary. That, there was consensual relationship between the parties hence section 376 of IPC is not attracted. That, the petitioner has been framed in a false case only with the intention of embezzling of Rs. 3,00,000/- of the petitioner's father which is evident from CDR. Petitioner has clean antecedent. Further, Ld. Counsel prayed to give the privilege of anticipatory bail to the petitioner.

Per contra, learned Sp. P.P. apposed the bail.

Heard both sides and perused the case record. On perusal, I find that petitioner is named accused in FIR and the allegation against him is that on 01.01.2020 at about 06.00 pm, the petitioner came to informant's house and committed rape upon her when she started crying then the petitioner assured her that since her husband had died and he was unmarried so he would married her. Believing his promise, she continued her relationship with the petitioner and he repeatedly established physical relation with her on the assurance of marriage. He also, on various occasions, sought money from the informant on the pretext of financial difficulties, as such, the informant paid to him approximately Rs. 2,00,000/- both through online and cash, when the informant insisted him for marriage then he refused to marry unless she arrange Rs. 3,00,000/- and a Bullet motorcycle as dowry and also refused to return Rs. 2,00,000/- to her.

In course of investigation, restatement of the informant has been recorded in para 4 of case diary wherein she developed the story of prosecution and disclosed that after the death of her husband the petitioner developed his relation with her and approximately four years ago she married to petitioner secretly without the knowledge or presence of their family members or villagers and when villagers came to know about their relationship they subjected her to social humiliation and abuse. The petitioner assured her that he would take her with him after arranging him livelihood but continued to avoid doing so by making excuses. Other prosecution witnesses in para 5 and 6 also supported the version of informant made her restatement but informant has not given any proof of their marriage (photo and video) to IO. The informant in her statement recorded u/s 183 of BNSS also revealed that after the death of her husband she came in the contact of petitioner developed relationship and established

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physical relation with him and then she married to him, thereafter, he refused to keep her with him. The informant has not whispered regarding the payment of Rs. 2,00,000/- to the petitioner either in her restatement or statement recorded u/s 183 of BNSS. Petitioner has clean antecedent.

Considering the above facts and circumstances and coupled with the fact that earlier petitioner's mother has filed the case against the informant side, this Court is inclined to grant the privilege of anticipatory bail to the accused petitioners. Hence, the prayer for anticipatory bail of the accused petitioners is hereby Accepted. It is hereby directed that in the event of arrest or surrender before the learned court below within 30 days from the receipt of a copy of this order, the petitioners shall be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Court below.

Dictated

Sd/-

**Exl. Spl. Court POCSO-III,**  
**Muzaffarpur**  
**Dated: 09.07.2026**