

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25889 of 2015

Arising Out of PS.Case No. -150 Year- 2014 Thana -RAMKRISHNANAGAR District- PATNA

1. Mukesh Singh @ Mukesh Kumar Singh @ Mukesh Kumar son of Sri RAjendra Singh, Resident of Village- Dharamraj, Police Station- Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Yogendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 09-10-2015 Heard the learned counsel for the petitioner, the learned counsel for the informant and the learned Additional Public Prosecutor.

The petitioner apprehends his arrest in a case under Section 364, 498A, 120B of the Indian Penal Code.

The father of Ambuja Kumari stated that his daughter was married but her husband died. His daughter was working as A.N.M. in Jehanabad hospital. The informant further alleged that Ashok Sharma committed rape with her. His daughter solemnized marriage with Mukesh Singh, the petitioner, but he was also torturing his daughter. His daughter is missing since 01.04.2014.

The learned counsel for the petitioner submits that

there is no material against the petitioner that petitioner ever solemnized marriage with Ambuja Kumari. Ashok Sharma has got motive as there is a case pending against him. Ambuja Kumari left her house and did not return. Nobody saw the petitioner taking Ambuja Kumari to anywhere else.

On the other hand the learned counsel for the informant as well as learned Additional Public Prosecutor has submitted that Ambuja Kumari was residing in the house of Bachchu Prasad in Ram Krishna Nagar. Other tenant Madhuri Kumari, Subrat Prasad, son of Bachcha Prasad, and the land lady have invariably stated that Ambuja Kumari was living with Mukesh Singh as the husband and wife. They also disclosed that they were not having good relation. A friend of Ambuja Kumari also disclosed that Ambuja Kumari disclosed to her that her decision to marry with petitioner was wrong as the petitioner was torturing her. It has further come that Ashok Sharma, who is alleged to have committed rape with Ambuja Kumari, had long talk with the petitioner on 01.04.2014 thereafter Ambuja Kumari became traceless.

It appears that the petitioner was living with the victim as husband and wife and it has come that the petitioner was not feeling well with his wife. The wife of the petitioner is still

traceless.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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