

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31732 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -AKBARNAGAR District- BHAGALPUR

Upendra Mandal, S/o- Late Sita Ram Mandal, resident of Village:-
Mirjapur, Ghogha, P.S.:- Kahalgaon (Ghogha), District:- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 10-11-2016 Heard both sides.

The petitioner apprehends his arrest in Akbarnagar P.S.
Case No. 39/2016, registered for the offences punishable under
Sections 366 and 34 of the Indian Penal Code.

The informant alleged that she went along with Kare
Mandal to see Ghogha market. Kare Mandal kept her in the house
of the petitioner Upendra Mandal and thereafter solemnized her
marriage to one unknown person.

Learned counsel for the petitioner submits that victim is
a married woman. She got a child in her lap. The victim recorded
her statement under Section 164 Cr.P.C. In her statement she
stated altogether a different story about the occurrence. The
allegation on the face of it appears to be concocted one. All other

accused persons have already been granted regular bail. The case of the petitioner stands on the same footing, but it appears that the victim herself alleged that the petitioner confined her in his house and got her married.

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

If the petitioner surrenders in the court below learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that other accused persons have been granted regular bail and dispose of the bail petition of the petitioner on the same day.

(Prabhat Kumar Jha, J.)

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