

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27486 of 2016**

Arising Out of PS.Case No. -327 Year- 2014 Thana -MADHUBANI TOWN District-  
MADHUBANI

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PANKAJ PRASAD @ PANKAJ KUMAR PRASAD Son of Vijay Prasad  
resident of Village- Ujjan Dhanki Tole, P.S. Manigachhi District-  
Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2 13-07-2016

Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Madhubani Town P.S. Case No. 327 of 2014 for the offences  
instituted under Sections 341, 354(A), 354 (D), 504, 506, 509/34  
of the I.P.C.and 66(A) of the I.T.Act,2008.

The prosecution story, in brief, is that the informant  
Radhika Kumari being student of T.N.Singh Account Classes at  
Madhubani, was being teased and tortured through mobile and  
subsequently she was being abused and life threatening was also  
given to her.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. The informant in her

re-statement has not named this petitioner rather she has named one Pramod Kumar Mandal. The petitioner has no concern with the present incident. The other co-accused Pradeep Kumar @ Pradeep Kumar Mandal has been granted regular bail by the court below.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and the specific allegation has been made by the informant against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected. Anyhow, considering the nature of accusation made by the prosecution and the contradiction in the statement of the informant it is a case for consideration of regular bail. If the petitioner surrenders in the court below, the same shall be considered on its own merit without being prejudiced by this order taking into account the fact that the informant has retracted from her earlier statement. The same may be disposed of preferably on the same day.

With the aforesaid observation, the present application is disposed of.

**(Sudhir Singh, J)**

AnilKrSinha/-

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