

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20783 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -MAHILA P.S. District- PATNA

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1. Indrajeet Kumar, son of Surendra Kumar, R/o Hanuman Nagar, P.S.-
Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Akhauri Jyotsna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 07-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376, 379, 415 and 496 of the Indian Penal Code.

According to First Information Report, the petitioner suppressed to the informant that he is already a married person and has a daughter, aged about 7 years and by suppressing the aforesaid facts both entered into love-affaires and has physical relation with the informant as well. Even at the time of application for passport, the petitioner disclosed in the application paper that he is single. In the pan card also the petitioner disclosed his status as single. When the informant detected the aforesaid facts, she found herself cheated.



Learned counsel for the petitioner submits that the alleged offence under Section 376 Indian Penal Code is not made out in the facts and circumstances of this case. Other alleged offences are bailable.

Considering the fact that there is sufficient material to show intentional suppression of material fact which could have changed the decision of the informant in the event of disclosure, in my view, the offence of cheating is made out against the petitioner. Hence, I am not inclined to grant anticipatory bail to the petitioner in connection with Mahila Police Station Case No. 11 of 2017 pending in the court of learned Judicial Magistrate, 1st Class, Patna.

Accordingly, prayer for bail is refused.

(Birendra Kumar, J)

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