

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47371 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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Udesh Rai S/o Anbudh Rai R/o Village- Nayagaon, Bariyarpur, P.S.-
Desari, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Mandal

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 13-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Desari P.S. Case No. 60 of 2016 for the offences punishable under sections 147, 148, 149, 341, 342, 323, 324, 307, 447, 448, 354, 427, 366, 504 and 506 of the I.P.C.

Allegedly, the petitioner took away Bhabhi of Chandan Rai after alluring her and for that Panchayati was going to be held and then the occurrence has taken place.

Submission is of false implication and that no case for taking away the Bhabhi of Chandan Rai has been lodged, Nitu Devi in the Panchayati has stated that she does not want to live



with Garur Rai and for that she has executed a deed of panchnama on 27.03.2014 wherein she expressed her willingness to live with her parents, vide Annexure-2, no offence as alleged is made out against the petitioner, other co-accused has been allowed pre-arrest bail by the learned court below itself and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that Nitu Devi is still traceless and her husband Garur Rai, vide paragraph- 9 of the case diary, has stated that this petitioner allured her and took away, other witnesses have also supported the allegation.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of Sri Aditya Pandey, J.M. 1st Class, Vaishali at Hajipur.

(Jitendra Mohan Sharma, J)

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