

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50362 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- BRAHMPURA District- Muzaffarpur

Arjun Kumar Rai @ Arjun Rai Son of Bishwanath Rai, Resident of Village-
Sami, P.S. Mahua, District- Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate
For the State : Mr. Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 11-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366/34 of the Indian Penal Code registered in connection with Barhampura P.S. Case No. 25 of 2018.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of past enmity. The injury report does not disclose any injury on the victim. It is further submitted that the deposition of the victim recorded under Section 164 of the Cr.P.C. creates doubt inasmuch as she has stated that she had called her husband through the Advocate on mobile by sending two messages. The petitioner claims clean antecedents.

4. Learned APP, on the other hand, submits that the informant has made direct accusation against the petitioner in the FIR and so also in her deposition under Section 164 of the Cr.P.C.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

6. If the petitioner surrenders and seeks regular bail before



the learned trial Court the same shall be considered on its own merit in accordance with law expeditiously and without being prejudiced by any observation in the present order.

BT/Chandran

(Vikash Jain, J)

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