

Arising Out of PS. Case No.-224 Year-2018 Thana- BISFI (PATAUNA) District- Madhubani

Versus

... .. Respondent/s

For the Appellant/s : Mr. Sanjay Kumar Jha
For the Informant : Mr. Rakesh Kumar Ranjan
For the Respondent/s : Mr. Sadanand Paswan



have kidnapped the informant on motorcycle on way to her coaching and took away her to the temple where he put vermilion on his forehead in presence of his family members. Thereafter, they administered some intoxicant substance to her. After regaining sense she found herself at a desolate place and appellant tried to outrage her modesty. Thereafter, the appellant and his family members were taking her to a desolate place on the vehicle and on the way her family members intercepted them then they slated and assaulted them.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case because the appellant was assaulted by the parents of the informant and others preceding to the occurrence and regarding the said occurrence he has lodged Bisfi (Patauna) P.S. Case No. 219 of 2018 against them and to save skin from the said case, the informant has lodged this false and frivolous case against the appellant after one month without assigning any plausible explanation for the said delay. Witnesses in various paragraphs of the case diary have stated that the appellant and informant were in



love and they eloped from the village but they were apprehended by the family members of the appellant and they were taking them to the village but on the way the family members of the informant met with them and they handed over the girl to them. Hence, the appellant may be enlarged on bail.

Learned counsel for the informant and learned Special Public Prosecutor for the State vehemently opposing the bail petition submitted that the appellant has forcibly kidnapped the informant and put vermilion on her forehead and tried to outrage her modesty. Informant in her statements made under Sections 161 & 164 Cr.P.C. have supported the occurrence and witnesses in paragraphs 10, 11 & 12 of the case diary have unanimously stated that the appellant had kidnapped the informant by trapping in her love. Hence, the appellant does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the appellant on anticipatory bail. The prayer for bail of the appellant is hereby rejected. However, the appellant is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in



accordance with law without being prejudiced by this order.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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