

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6435 of 2020

Arising Out of PS.Case No.-226 Year-2019 Thana- KAHALGAON (Ghogha) District-
Bhagalpur

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Chandan Yadav, aged about 21 Years, Gender-Male, Son of Mangan Yadav @
Satya Narayan Yadav, Resident of Village - Janidih, P.S.- Ghogha, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate
For the State : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 28-02-2020

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

2. The petitioner apprehends arrest in connection with
Kahalgaon (Ghogha) PS Case No. 226 of 2019 dated 03.04.2019
instituted under Sections 323, 341, 342, 354 and 376/34 of the
Indian Penal Code.

3. The allegation against the petitioner and six other
persons is of forcibly abducting the informant and the petitioner
establishing physical relationship on the pretext of marriage.



4. Learned counsel for the petitioner submitted that in the statement recorded before the Court under Section 164 of the Code of Criminal Procedure, 1973, the informant has stated that she was married with one Ashish Mandal and had known the petitioner from before that and she had left her house with the petitioner as the petitioner had assured marriage and that the petitioner had established physical relation with her and later on, when she went to the house of the petitioner, she was assaulted by the petitioner's parents and sister.

5. Learned counsel for the petitioner submitted that the informant has not stated the truth either in the FIR nor before the Court as in the statement recorded by the police of the mother, paternal grandmother and uncle of the informant, they have stated that when the informant returned, she has stated that she had gone to her maternal grandmother's house and has not alleged anything against the petitioner.

6. Learned APP submitted that the informant specifically making such allegation against the petitioner, both in the FIR and the Court, with regard to the petitioner, under false pretext establishing physical relationship, he cannot claim innocence.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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