

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25573 of 2020

Arising Out of PS. Case No.-113 Year-2019 Thana- MAHNAR District- Vaishali

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BHOLA KUMAR @ CHANDAN KUMAR S/o Aravind Kumar Ray R/o
Village- Narayanpur, Dedhpura, P.S.- Mahnar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Rina Sinha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 11-12-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Mahnar P.S. Case No.113 of 2019 registered under Sections 366, 365 and 34 of the Indian Penal Code.

The informant alleged that Chunchun Rai and Kundan Rai informed him that his sister Arti Kumari was talking with a boy near Bhandala Chowk. After received the information, he along with Chunchun Rai and Kundan Rai went there and they were returning with Arti but Bhola Kumar @ Chandan Kumar(the petitioner), Shyam Nandan Kumar, Shrawan Kumar, Chutul Kumar, Abhay Kumar and Brajkishore Rai came along with Amarjeet Kumar and forcibly kidnapped his sister Arti Kumari from his house. When his mother and sister objected, they all assaulted. It is further alleged that his sister was forcibly married in a temple with Amarjeet Kumar and they kept his sister in the house of Bhola Kumar(the petitioner). Amarjeet Kumar got some injury and he was under treatment.

The learned counsel for the petitioner submits that



victim made her statement under Section 164 Cr.P.C. and she did not disclose the name of the petitioner. It is further submitted that Mahnar P.S. Case No.114 of 2019 was registered with regard to same occurrence and petitioner has already been granted bail in Mahnar P.S. Case No.114 of 2019 by the Additional Sessions Judge III, Vaishali, hence, the petitioner may also be enlarged on anticipatory bail in this case but it appears that the informant and all other family members have categorically stated that the petitioner and others kidnapped his sister from his house and forcibly got her married with Amarjeet Kumar who was already married from before. They also assaulted Amarjeet Kumar who is under treatment in hospital. The anticipatory bail petition of co-accused namely, Shyam Nandan Kumar has already been rejected by a co-ordinate Bench of this Court vide order dated 27.08.2019.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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