

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38051 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- MAHILA P.S. District- Kishanganj

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MAHBOOB @ RANJEET SON OF ANWARUL HAQUE @ ANVARUL
RESIDENT OF VILLAGE- POTHIA BASTI, P.S.- POTHIA, DISTRICT-
KISHANGANJ.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Vikramdeo Singh
	:	Mr.Alok Kumar Alok
For the Opposite Party/s	:	Mr. Yogendra Kumar
For the Informant	:	Mr. Amrit Abhijat

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 16-04-2021 Heard Mr. Vikramdeo Singh, learned counsel for

the petitioner and Mr. Amrit Abhijat, learned counsel for the

informant. The State is represented by Mr. Yogendra Kumar,

learned APP.

The petitioner seeks bail in anticipation of his

arrest inconnection with Mahila P.S. Case No. 14 of 2020

instituted for the offences under Sections 376, 504/34 of

the Indian Penal Code.

The accusation against the petitioner is of having

raped the victim and it is further alleged that the petitioner



was desirous of marrying her but that was not possible because the petitioner is already a married person.

It has been submitted on behalf of the petitioner that an absolutely false and concocted case has been lodged against him. The occurrence is said to have taken place on 12.04.2020 but the F.I.R. has been lodged on 01.05.2020 even though the Mahila Police Station is not very far off. It has further been submitted that there was some kind of an affair between the victim and the petitioner which was known to most of the villagers.

It is further argued that only because the marriage between the petitioner and the victim could not be performed, this case has been lodged. Some manipulation also have been pointed out in the F.I.R.

The petitioner has clean antecedents.

However, considering the nature of accusation against the petitioner, I am not inclined to grant anticipatory bail to him.

However, if the petitioner surrenders before the court below and seeks bail, his petition shall be considered



on its own merit without being prejudiced by the fact that
the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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