

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68884 of 2021

Arising Out of PS. Case No.-372 Year-2020 Thana- MAIRWAN District- Siwan

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Mantu Prasad @ Mantu Kumar Manjhi Son Of Bhagelu Prasad Resident Of
Village - Mairwa Dham, Darauli Road, P.S.- Mairwa, Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 28-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 363, 366A/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

daughter and the niece of the informant went missing

from near the canal and on the disclosure of one

Gyanchand Singh it was suspected that the petitioner

along with other accused persons have abducted and

taken away the daughter and niece of the informant

namely Priti Kumari and Rinku Kumari respectively, for



committing some sort of illegal activities.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is further submitted that daughter of the informant namely Priti Kumari in her 164 Cr.P.C statement has specifically admitted that she has solemnized marriage with the petitioner. She has also recorded her age as 18 years. So far as allegation of victim Rinku Kumari against the petitioner is concerned, it is submitted that the doctor has not found any sign of rape and her age was assessed by the doctor between 18-19 years. There is no eye witness to the occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the victim Rinku Kumari in her 164 Cr.P.C statement has specifically alleged against the petitioner that she was continuously



raped by the petitioner after administering some obnoxious substance. The informant has also corroborated the prosecution story.

Considering the fact that the victim Rinku Kumari in her 164 Cr.P.C statement has specifically alleged commission of rape against the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail to the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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