

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 31015 of 2023**

Arising Out of PS. Case No.-775 Year-2022 Thana- AURANGABAD TOWN District-
Aurangabad

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MANISH KUMAR PANDEY @ MANISH PANDEY SON OF TRILOKI
NATH PANDEY Principal Magistrate Juvenile Justice Board(J.J.B.)
Aurngabad, Bihar, Permanent resident of House No.32, Bandh Gown, PS
Sarpataha, Dist Jaunpur, UP. At Present- Block Colony, Aurangabad, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Kamendra Pd Singh, Advocate
For the Informant : M/s Raghunandan Kr Singh, Riya Singh, Advocates
For the Opposite Party/s : Mr Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

3 29-08-2023 A supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on record.

2 Heard learned counsel for the petitioner, informant
and the learned APP.

3 The petitioner apprehends arrest in Aurangabad
Town PS Case No 775 of 2022 registered for the offence
punishable under Sections 341, 323, 376, 493, 496, 379, 504,
506/34 of Indian Penal Code and Sections 3/4 of Dowry
Prohibition Act.

4 As per the prosecution case, the petitioner, on the
pretext of marriage, established physical relations with the
informant. It is further alleged that on 28.02.2022, this



petitioner along with other accused persons brutally assaulted the informant and, thereafter, ousted her from the house.

5 Learned counsel for the petitioner submits that the entire prosecution case is false, fabricated and concocted. As a matter of fact, the informant's marriage was solemnized with Mukesh Kumar in the year, 2016 and the said Mukesh Kumar has already filed divorce case against the informant. By filing supplementary affidavit, petitioner has reiterated the same defence that the informant is in the habit of filing false case.

6 Learned APP and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail. It is submitted on behalf of the informant that there is specific and direct allegation against the petitioner that he established physical relationship with the petitioner and, thereafter, brutally assaulted the informant and ousted her from the house.

7 Considering the nature of accusation, I do not find it a fit case for grant of anticipatory bail. The same is rejected.

(Prabhat Kumar Singh, J)

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