

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48649 of 2022

Arising Out of PS. Case No.-520 Year-2020 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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RAM UDGAR MAHTO @ RAM UDGAR SINGH S/o Ram Prasad Mahto
Resident of Village- Sarsara, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar
For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 04-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State along with the learned counsel for the
informant.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A) and 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner being husband has been falsely implicated in the
present case, it is next submitted that the matter was referred for
mediation but the mediation proceedings failed, it is next
submitted that the marriage of the petitioner with the informant
was performed against the wish of the petitioner as he was
kidnapped for the purposes of marriage for which he has also



instituted a case in which cognizance has been taken.

Learned counsel for the informant rebuts the submission of the learned counsel for the petitioner and submits that what is not disputed, rather, stands admitted is that marriage was performed but then it is the case of the petitioner that the marriage was performed without his consent and against his wish for which he had instituted a case of kidnapping also.

Learned counsel for the informant further submits that it absolutely does not stand to reason that if the petitioner was kidnapped for the purposes of marriage, then why no FIR was instituted by his family members. It is next submitted that it is a travesty of justice that the person who was kidnapped, himself institutes an FIR about his kidnapping which further demonstrates the falsity of the allegation.

Considering the submission made by the learned counsel for the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

(Satyavrat Verma, J)

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