

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56198 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- DAGARUA District- Purnia

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RAVI KUMAR @ MITTHU SON OF SRI ASHOK MANDAL @ ASHOK
KUMAR MANDAL RESIDENT OF VILLAGE- NIJHARA, PS- KADWA,
DIST- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Mr.Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 376 of the Indian Penal Code.

3. It is alleged that on 01.07.2022 at about 9:00 PM, this petitioner came on the motorcycle and forcibly solemnized marriage with informant. It is further alleged that petitioner also established physical relation with the informant and in the next morning, he fled away. It is further alleged that on 07.02.2022, a *panchayati* was convened and it was decided that petitioner will solemnize marriage with informant again, but subsequently, they



came to known that petitioner has already solemnised second marriage with another girl.

4. It is submitted on behalf of petitioner that petitioner has committed no offence and a false case has been lodged against him. It is further submitted that prior to lodging of the present F.I.R., the informant had lodged two complaint petition with similar allegation for the same date of occurrence before the learned Chief Judicial Magistrate, Purnea on 26.07.2022 and 27.08.2022 (Annexure 2 series) and when learned Magistrate refused to take cognizance, this false and concocted case has been lodged against this petitioner. As a matter of fact, the informant wanted to pressurise the petitioner for marriage and when petitioner refused to marry her, she lodged this false case. This petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Dagarua



P.S. Case No. 384 of 2022, subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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