

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65384 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA PS District- Jehanabad

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KUNAL KUMAR Son of Sachchidanand Sharma Resident of Village-
Mithapur (Near Lai), P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Kumari Singh D/O Late Arjun Singh, Wife of Chandan Singh Resident
of Village- Narayanpur, P.S.- Shakurabad, District- Jehanabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala
Mr. Anand Kumar Ojha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-03-2023 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 498(A), 376 and some
other ancillary Sections of the Indian Penal Code and u/s 3/4 of
Dowry Prohibition Act.

As per the prosecution case, when husband of the
informant and other in-laws had gone to Kurji (Danapur) this
petitioner established physical relation with her without her
consent and when she pressurized the accused persons to marry
her to Kunal she was ousted from her matrimonial house and the
accused persons also seized her entire belongings.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case because he is Devar of the informant. It is further submitted that it absolutely does not stand to reason when the informant was married to Chandan how could she have agreed for marrying this petitioner, this amply demonstrates that since her relationship with her husband was strained, as such she has implicated the entire family, including this petitioner. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that there is specific allegation against this petitioner that he committed rape with the informant.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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