

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67495 of 2022

Arising Out of PS. Case No.-273 Year-2021 Thana- MAHESI District- East Champaran

Amardeep Mall S/o Bhola Mall R/v- Sugiya Mahuliya 197, Amar Colony
Khatima, P.S.- Khatima, District- Udyam Nagar (Uttarakhan)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP
For the Informant	:	Mr. Om Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-04-2023 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Petitioner seeks bail who is in custody since 09.07.2022 in connection with Mehasi P.S. Case No. 273 of 2021, F.I.R. dated 15.11.2021 for the offences punishable under Sections 406, 420, 328, 354, 376, 511/34 of the Indian Penal Code and Section 67 and 67(a) of the I.T. Act.

According to prosecution case, the family members of the petitioner started pressurizing the informant to solemnized



marriage with the petitioner and when the informant opposed, the petitioner viral her photographs on social media. It is further alleged that the petitioner has also taken Rs. 2,15,000/- from the informant.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. He further submits that the petitioner has performed marriage with the victim on 08.04.2021 and thereafter, he filed the petition for restitution of conjugal rights before the learned Court below on 23.09.2021.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor on the basis of material available on record and the case diary have vehemently opposed the prayer for bail of the petitioner and submits that in fact, the petitioner has not performed the marriage with the victim and sufficient material has come during investigation to suggest the involvement of the petitioner in the present case. They further submits that the allegation as alleged in the F.I.R. is true.



Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Mehasi P.S. Case No. 273 of 2021 pending in the court of learned Additional Chief Judicial Magistrate VI, East Champaran, Motihari.

Prayer is refused.

(Rajesh Kumar Verma, J)

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