

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68302 of 2022**

Arising Out of PS. Case No.-519 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

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AMARJEET MANDAL S/o Hareram Mandal R/o Village- Ramdiri Durga
Asthan, Nawagarhi, P.S.- Nayaramnagar, Distt- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PINKI DEVI W/o Manoj Mandal, D/o Sriram Mandal R/o Village- Ramdiri
Durga Asthan, Nawagarhi, P.S.- Nayaramnagar, Distt- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.519C of 2019, registered for the offence
punishable under Sections 323, 354, 448, 504, 506(II) of the
Indian Penal Code.

The allegation against the petitioner is that the petitioner
alongwith his brother assaulted the son of the complainant and
tried to kill him by pushing him under the wheel of truck. It is
also alleged that the petitioner tried to outrage the modesty of
the complainant.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that earlier, the brother of the complainant had kidnapped his sister for the purpose of marriage for which the mother of the petitioner had lodged a FIR bearing Nayaramnagar P.S. Case No.39 of 2012 u/s 366(A) of the IPC. He further submits that the matrimonial house of the complainant and house of the petitioner is adjacent to each other, the complainant left her matrimonial house and started living with her parents. The sister of the petitioner, who is the bhabhi of the complainant has lodged a FIR against the family members of her-in-laws bearing Nayaramnagar (Safiya Sarai) P.S. Case No.103 of 2013 u/s 337, 498(A), 323, 379 of IPC and 3 & 4 of the D.P. Act. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is a specific and direct allegation against the petitioner that he tried to outrage the modesty of the complainant.

Having regard to the facts and circumstances of the case,



I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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