

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76508 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- SAKRA District- Muzaffarpur

Maksudan Kumar @ Masudan Kumar S/O Sheetal Mahto R/O Village-
Salkhani ,P.O.- Mukhtiarpur, P.S.- Dalsingsarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-11-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State

2. The petitioner apprehends his arrest in Sakra P.S. Case No.
103 of 2024 registered for the offences punishable under
Sections 307 and 376 of the Indian Penal Code.

3. The allegation against the petitioner is that he used to
establish physical relation with the informant on the pretext of
marriage after the death of her husband.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. It is further submitted that the informant
came in contact with the petitioner through Face Book and
used to talk with each other and in this process the informant
had given the proposal of marriage to the petitioner but he



refused. It is further submitted that when the petitioner stopped to talk with the informant and the marriage of the petitioner was performed with another girl, this false and frivolous case has been lodged against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the nature of the allegation and the fact that the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C., the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case and the seriousness of the allegation, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

