

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52740 of 2025

Arising Out of PS. Case No.-131 Year-2018 Thana- JHAJHA District- Jamui

Sintu Kumar @ Pintu Kumar S/o Narsingh Mandal R/o vill - Pradhanchak,
P.S. - Khaira, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 1. 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 punishable under Section 366A of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his wife was abducted by the accused persons
including the petitioner. Further, his wife also took away gold
ornaments worth Rs.50,000/- along with cash of Rs.5,000/- and
all the educational documents of the informant.

4. Learned counsel for the petitioner submits that the
FIR has been instituted after twenty-one days of the occurrence
which casts an aspersion on the case of the prosecution. It is
further submitted that from perusal of the allegation as alleged



in the FIR, it would manifest that informant based on suspicion instituted the FIR when he is not an eyewitness to the occurrence. It is next submitted that the victim came back and her statement was recorded under Section 164 Cr.P.C. wherein she has supported the case of the prosecution and has stated that while she was coming back after being treated by the Doctor when on the way she was abducted by the accused persons including the petitioner and they took her to Bhagalpur where Sonu Mandal and petitioner raped her forcibly.

5. Learned counsel appearing on behalf of the petitioner submits that no doubt the victim has supported the case of the prosecution but then from perusal of the allegation as alleged in the FIR, it would manifest that it gives an impression that the wife of the informant fled away with the petitioner carrying ornaments and cash. It is further submitted that after the victim came back under pressure of the informant her statement under Section 164 Cr.P.C. was recorded.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case is of the year 2018 and the victim has supported the case of the prosecution and in her statement recorded under Section 164 Cr.P.C. has specifically alleged that she was raped by this



petitioner and Sonu Mandal. It is further submitted that investigation is still continuing.

7. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Jhajha P.S. Case No. 131 of 2018 pending in the Court of learned Chief Judicial Magistrate, Jamui/Successor Court.

8. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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