

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73057 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA P.S. District- Kishanganj

Chandan Kumar, S/o- Kameshwar Ram, R/o- Gautam Budh Nagar, Godhna
Road Ara, P.S.- Nawada, P.O.- Anaith, District- Bhojpur, PIN- 802301, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rishup, Adv. Mr. Saurabh Kumar, Adv. Mr. Gauri Shankar, Adv.
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Mritunjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 22-01-2025 Heard Mr. Rishup, learned counsel for the petitioner, Mr. Bharat Bhushan, learned APP for the State and Mr. Mritunjay Kumar, learned counsel for the informant.

2. The petitioner apprehends his arrest in connection with Kishanganj Mahila P.S. Case No. 41 of 2023 dated 31.08.2023 registered for the offences punishable under Sections 495, 498A and 313 of the Indian Penal Code.

3. As per prosecution story, the informant (victim) alleged that she and the petitioner became friends through Facebook and the petitioner told her to marry him and on being rejected, he started threatening her by saying that she would have to face dire consequences. It is further alleged that the



petitioner abducted her and locked her in a rented room and started leading a conjugal life with her, and also, made marriage affidavit in Islampur court vide Serial No. 109 dated 12.06.2023 and she was two months pregnant which he got aborted forcefully in Kamla Nursing Home, Islampur. It is further alleged that after a few months, the petitioner, his first wife and other relatives started demanding Rs. 20,00,000/- and 10 bhar gold from her and on refusal, she was threatened to be killed.

4. The main submissions advanced by learned counsel appearing for the petitioner are that the petitioner is a government employee working in police department and he has been falsely roped by the informant, who is a married lady and she is in habit of making false allegations as earlier also, she had lodged Islampur P.S. Case No. 02 of 2021 against her husband and others. It is further submitted that the petitioner became friend with the informant through Facebook and there is no any medical evidence to support the informant's allegation as to sexual assault.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submitted that there is serious allegation against this petitioner.



6. Learned APP appearing for the State has also opposed the bail prayer of the petitioner.

7. Heard both the sides and perused the FIR and the case diary of this case. It is an admitted position that the petitioner and the informant developed friendship through Facebook and as per allegation latter, petitioner forced the victim to get married with him and on refusal of victim, he started threatening the victim and committed other alleged acts. The petitioner is a police personnel and there are serious allegations against him in the FIR, and also, the case is under investigation, in my opinion, it is not a fit case for the grant of anticipatory bail to the petitioner. Accordingly, the petitioner's prayer stands rejected.

(Shailendra Singh, J)

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