

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5256 of 2014

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Lawkesh Chandrabanshi @ Lawlesh Chandrabanshi Late Purshottam
Chandrabanshi Residence Of Village - By-Pass Over Bridge, P.S. Town
Aurangabad, Distt. Aurangabad

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 24-12-2014 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Kutumba P.S. Case No. 41 of 2013 registered under Sections-
376 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

It would appear from perusal of the record that notice
was sent to opposite party No. 2 and the said notice was received
by her father.

Admittedly, the statement of opposite party No. 2 has
been recorded u/S 164 of the Cr.P.C. in which, she specifically,
stated that the petitioner was well-known to her, much prior to the
institution of present case and she wanted to solemnize her
marriage with the petitioner and she was on talking term with the
petitioner.

Although opposite party No. 2 has stated that the

petitioner established physical relationship with her but it appears that the aforesaid physical relationship was result of consent of opposite party No. 2.

Considering the above-said facts and circumstances as well as submission of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest or surrender in the court below within four weeks from today, the petitioner named-above, shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kutumba P.S. Case No. 41 of 2013 to the satisfaction of Chief Judicial Magistrate, Aurangabad subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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