

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46712 of 2014

Arising Out of PS.Case No. -162 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Pankaj Kumar @ Fekan Yadav @ Fekan Son of Arjun Prasad resident
of village- Tribhuban Bigha, P.S.- Tharthari, District- Nalanda at
Present Bihari Road Mahadeo Asthan Hilsa, P.S.- Hilsa, District-
Nalanda

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lovekush Kumar

For the Opposite Party : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-04-2015

Heard learned counsels for the petitioner and

the State.

Petitioner is apprehending his arrest in a
complaint case filed with accusation under Sections 498A, 323,
504 of the I.P.C. Consequently processes were directed to be
issued after cognizance being taken.

It is alleged that petitioner was married with
the complainant on 05.07.2006 but she was being tortured
after two years of marriage for dowry demand, though the
complaint was filed on 25.02.2014.

It is submitted by learned counsel for the
petitioner that there is no dispute with regard of the date of
marriage as 05.07.2006, but the admit card issued by the
Bihar School Examination Board, which has been kept on
record as Annexure-2 shows the date of birth of the petitioner

as 01.03.1992, being minor, aged about fourteen years at the time of alleged marriage i.e. 05.07.2006. Moreover earlier the father of the petitioner lodged Hilsa P.S. Case No. 181 of 2006 against complainant's side making accusation under Sections 363, 365/34 of the Indian Penal Code.

It is submitted by learned counsel for the complainant that complainant's side have been acquitted in Hilsa P.S. Case No. 181 of 2006 and the complainant was married with the petitioner.

Considering the fact that factum of marriage between the petitioner and the complainant is in dispute, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Hilsa, Nalanda in connection with Complaint Case No. 162(C) of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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