

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33985 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Rajan Pathak @ Kumar Rajan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the younger brother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341/342/323/379/498A/354/376/511/312 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand whereas it is alleged against the petitioner that he made an attempt to ravish the informant and on protest being made she was assaulted, as a result, her pregnancy got terminated.

It is submitted by learned counsel for the petitioner that on conclusion of investigation, the accusation against the petitioner under sections 376/511 and 354 of the Indian Penal Code has not been found true and the final form has been

submitted only under sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, a statement to that effect has been made in para 14 of the petition which reads as follows :-

"14.That during the course of investigation the concern police found the aforesaid allegation is false and submitted chargesheet under section 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act whereas no such cogent evidence are collected by the concern police".

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Darbhanga in connection with L.N.M.U. P.S. Case No.59 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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