

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2056 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -RAJPUR District- BUXAR

- =====
1. Abhishek Kumar Singh
 2. Alkendra Narayan Singh @ Dauji
 3. Soni Singh @ Soni Raj

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-01-2016

Heard learned counsels for the petitioner and the State.

The petitioners being the brother, father and brother's wife of the husband of the informant are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand. It is specifically alleged that the husband and father-in-law of the informant used to assault to the informant.

It is submitted by learned counsel for the petitioners that there is nothing on record that petitioner no.2 made assault to the informant as there no medical examination to the informant. statement to that effect has been made in para 11 of the petition

which reads as follows:-

“That from perusal of First Information Report it is also appeared that the petitioners have also assaulted the informant but is most surprising thing that victim has not filed any injury report with First Information Report and nor the police has suggested for Medical Examination which falsify the allegation of assault.”

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for three months, 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) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Buxar in connection with Rajpur P.S. Case No. 204 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional anticipatory bail of the petitioners will be confirmed by learned court below on verification of the fact that no grievous injury has been caused to the informant and if it is found that informant received grievous injury then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--