

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49509 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -MAHILA P.S. District- PATNA

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Apurv Mohan @ Manu Son of Shri Shyam Mohan Resident of Qr. No. 2109, Sector -IV C, P.S. Sector- IV, Bokaro Steel City, Pin- 827004 ,District Bokaro (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is accused in connection with Mahila P.S. Case No. 58 of 2016 registered under Sections 498A, 420, 313, 307 and 34 of the I.P.C.

The allegation against the petitioner is of cruelty and torture physically as well as mentally in various manners for non-fulfillment of demand of dowry, which resulted in miscarriage.

Learned counsel appearing on behalf of the petitioner submits that the allegations levelled against the petitioner are false and far from the truth and is not corroborated by the materials available on record. In fact, the informant was working in ING Vyasa Bank as Customer Care Manager, which would appear



from Annexure-10 of the supplementary affidavit, and she was unwilling to bear the child and she herself refused to get hospitalized. It is also submitted that perusal of the prescription does not in any manner reflect any bodily injury either visible or complained to by the informant. Even subsequent prescriptions have not been brought on record, which could reflect any wrongdoing on the part of the petitioner. The falsity of her claim of forced abortion is far from truth, as would be evident from the Medical prescription dated 09.04.2015, wherein in her medical prescription, she herself referred her abortion as first spontaneous abortion. With regard to demand of Rs. 2,00,000/-, it is submitted that the same was transferred to petitioner's account on the insistence of informant, which was returned by the petitioner within a few days. Further submission is that petitioner is in custody since 05.10.2016, having no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of J.M., 1st Class, Patna in connection with Mahila P.S. Case No. 58 of 2016.

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(Arvind Srivastava, J)