

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42280 of 2016

Arising Out of PS.Case No. -443 Year- 2016 Thana -KATIHAR District- KATIHAR

=====

Atul Rajak @ Atul Kumar Rajak Son of Late Narayan Rajak Resident of
Village- Buddhuchak, Barmasia Ward No.9, Police Station- Sahayak,
District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 11-11-2016 Heard Sri Ajay Kumar, learned counsel for the
petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

The petitioner has approached this Court for grant of
anticipatory bail in Katihar (Sahayak) P.S. Case No. 443 of 2016
registered for offence under Sections 323, 307, 365, 447, 504 and
498(A) of the Indian Penal Code and Sections 3 & 4 of the Dowry
Prohibition Act, 1961.

It was submitted by learned counsel for the petitioner
that actual fact is that the son of the petitioner has been kidnapped
by family member of informant and for this, the petitioner has
filed a case, vide Katihar Town P.S. Case No. 442 of 2016, which
was registered on 07-07-2016 for offence under Sections 364 &
120(B) of the Indian Penal Code and only thereafter, the present
case was filed by the informant, which has been numbered as
Katihar Town P.S. Case No. 443 of 2016, which too was

registered on the same date i.e. 07-07-2016. He submits that being father-in-law, there is no question of torturing the informant and as such, it is a fit case for grant of anticipatory bail.

Besides hearing, I have perused the materials on record, including F.I.R. of both the cases. On perusal of the F.I.R., it is evident that initially a complaint was filed by informant of the present case, in which, she has shown apprehension regarding lodging of false case by the petitioner and thereafter, complaint case was filed by the petitioner, which was numbered as Complaint Case No. 1260 of 2016.

Ofcourse, in both the cases, the learned Magistrate directed to register case under Section 156(3) of the Cr.P.C. and thereafter, number of first case was given to the complaint of the petitioner.

In view of the fact that complaint was filed, subsequently there is no reason to raise any doubt on the case filed by the informant of the present case. At least, it is not a case for grant of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

Anay

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