

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47762 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Nitish Kumar, S/o Kapil Prasad, R/o Village Dindayalganj, P.S. Islampur,
Distt.- Nalanda.

..... Petitioner

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajendra Narayan and Mr. Jogendra
Prasad, Advocates.

For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

For the O.P. No. 2 : Mr. Md. Najmul Hodda and Mr. Anamul
Haque, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsels for the petitioner, opposite
party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 323/34 of the IPC
and 3/4 of the D. P. Act in connection with Biharsharif Mahila P.S.
Case No. 100/2016, pending in the court of learned C.J.M.
Biharsharif.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsels for the



parties that the petitioner was on police bail. Hence, at present, the anticipatory bail of the petitioner is not maintainable.

The present anticipatory bail application is disposed of in light of the order passed in the case of (Mahendra Prasad Singh Vs. The State of Bihar) reported in 2004(3) PLJR 491.

If the petitioner surrenders in the court below within a period of six weeks from today and files regular bail application, the court below shall pass necessary order in accordance with law.

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(Sudhir Singh, J)

