

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15332 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Mithlesh Kumar Son of Shri Ram Das @ Ram Prit Das Resident of Village-
Utarnama P.S. Rahui District Nalanda.

.... Petitioner

Versus

1. The State of Bihar
2. Sangeeta Kumari Bharti D/o Shri Ganga Paswan Resident of Mohalla
Baigana Bad (Rampur) P.S. Bihar, Dist Nalanda

.... Opposite Partys

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Bihar Mahila P.S. Case No. 24 of 2017 for the offences
instituted under Sections 498A, 323, 494, 341, 504 and 506/34 of
the Indian Penal Code.

The allegation against the petitioner is that he along
with other co-accused persons subjected cruelty upon the
informant due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. A



Divorce decree was passed between the parties on 27.05.2014 under Section 13B of the Hindu Marriage Act. Thereafter the present case was instituted in the year 2017. The petitioner has further relied upon the judgment of this court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors Vs. The State of Bihar, reported in 2006(3) PLJR (HC) 182.***

On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R. He is husband of the informant.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bihar Mahila P.S. Case No. 24 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nalanda at Biharsharif subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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