

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5949 of 2017

Arising Out of PS.Case No. -189 Year- 2010 Thana -MANIGACHI District- DARBHANGA

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Sujeet Kumar @ Sujeet Thakur Son of Dayanand Thakur resident of village Gandhawari, P.S. Pandaul, District - Madhubani at present resident of South Ramkrishnanagar, Rahdy Krishna Colony, P.S. Ramkrishnanagar, Dist - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Shashi Sekhar Jha son of Late Awadh Narayan Jha resident of village and P.S. Manigachhi, District Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-02-2017 Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Manigachhi P.S. Case No. 189 of 2010/ G.R. No. 3216 of 2010, T.R. No. 1742 of 2016 for the offences punishable under sections 341, 323, 504 and 498 (A) of the I.P.C and sections 3 and 4 of the Dowry Prohibition Act.

At the very out set it is submitted that in this case the police after completing investigation submitted final form after finding the case as mistake of law, but inspite of that cognizance



has been taken resulting the petitioner is apprehending his arrest. The wife of the petitioner has lodged earlier Manigachhi P.S. Case No. 15 of 2008 under section 498 (A) of the I.P.C. which is going on. The petitioner has filed a case for dissolution of marriage and then the informant filed this false case which after investigation has been found not true and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that after completing investigation final form bearing no. 202 of 2010 dated 31.12.2010 has been filed as the case being the mistake of law.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. S.D.J.M. Darbhanga in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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