

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1130 of 2017

Arising Out of PS.Case No. -54 Year- 2016 Thana -MAHILA PS District- GAYA

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1. Kundan Kumar @ Kumar Kundan son of Anil Sharma, resident of
village- Chakand Mira Bigha, P.S.- Chandauti (Chakand), Dist.- Gaya

.... Petitioner

Versus

1. State of Bihar
2. Rupa Kumari Sharma, D/o Late Shivnandan Sharma, resident of
Mohalla- Badhai Tola, P.S. Sherghati, District- Gaya

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Iftekhhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No. 54 of 2016 for the offences instituted
under Sections 498(A), 323, 504, 506 and 34 of the Indian Penal
Code and Section 34 of D.P. Act.

The allegation against the petitioner is of torturing the
informant mentally and physically due to non-fulfillment of the
demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering of witnesses alleged against the
petitioner. The informant is in habit of filing such cases against



the petitioner. On previous occasion also a similar case was instituted by the informant, in which the petitioner has been granted bail.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

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 Mahila P.S. Case No. 54 of 2016 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., Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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