

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33756 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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Amresh Kumar @ Ambrish Singh, Son of late Narendra Singh Baghel,
Resident of Village- Pipara Baghel, P.S. Khampar, District- Deoria, (U.P).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Prashant Kumar and Animesh
Kumar, Advocates.

For the Opposite Party : Mr. Binod Kumar No. 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Siwan (Mahila) P.S. Case No. 84/2016 for the offences
instituted under Sections 341, 323, 498(A), 376 and 506 of the
IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant due to non-
fulfilment of demand of dowry. The informant has also made
allegation of rape against this petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due to petty family dispute. 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 182. The petitioner is the brother-in-law (Dewar) of the victim. He is separate in mess and property from the husband. The husband has not been made accused in the present case. The allegation of rape has been made after 2 ½ years of the said occurrence.

On behalf of the learned counsel for 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 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 Siwan (Mahila) P.S. Case No. 84/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)