

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13599 of 2017

Arising Out of PS.Case No. -917 Year- 2016 Thana -BANKA District- BANKA

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Bibek Yadav Son of Prasadi Yadav, Resident of Village- Olhani, P.S.
Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Hemanti Devi Wife of Ramdeo Yadav, Resident of Village- Dudhiya
Tikar, P.O.- Ramchandrapur, Ethari, P.S. Amarpur, District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 27-04-2017 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 Banka P.S. Case No. 917 of 2016 for the offences punishable under sections 498 (A), 323, 341 and 504/34 of the I.P.C.

Sonam Devi, the daughter of the informant, was married to the petitioner 10-12 years ago. After the marriage Sonam Devi was kept peacefully but later on the petitioner and other in-laws started demanding cash and due to non fulfillment she was tortured and assaulted. Sonam Devi informed the informant that her life is in danger and requested to come and to



take away back then the case was lodged.

Submission is of false implication and that the petitioner is the husband who is ready to keep his wife peacefully, all the allegations made in the First Information Report is baseless and concocted, the petitioner and other co-accused have been granted benefit of section 41 (1) of the Cr.P.C. and they have been released on the bond and declaration paper and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. submits that there is no apprehension of arrest to the petitioner.

In the facts and circumstances as stated above, as the petitioner was granted benefit of section 41 (1) of the Cr.P.C. and as such the petitioner is directed to surrender in the court below within six weeks and after his surrender he will seek regular bail then his prayer for regular bail shall be considered sympathetically considering that he was granted benefit of section 41 (1) of the Cr.p.C. and he has not misused the privilege of bond and declaration and accordingly this Criminal Miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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