

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2339 of 2018

Arising Out of PS. Case No.-161 Year-2017 Thana- MAHILA P.S. District- Nalanda

Biru Kumar @ Ranbir son of Shyam Narayan Paswan resident of Mohalla -
Karbigahiya, Paswan Tola, Police Station - Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : SMT SANGEETA SHARMA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-02-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner is apprehending his arrest in Mahila P.S.
case No.161 of 2017 registered under Sections 498A, 323, 341,
313, 406, 504/34 of the I.P.C. and Sections 3/4 of Dowry
Prohibition Act, pending in the court of Sub Divisional Judicial
Magistrate, Nalanda at Biharsharif.

The prosecution case, in short, is that the accused persons
including the petitioner committed torture the victim due to non-
fulfilment of demand of dowry and they also assaulted the
victim by fists and slaps, due to which she suffered abortion.

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. The petitioner is the husband of the victim. The victim is said to have suffered abortion due to illness.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. Specific allegation has been made in the F.I.R. in respect of offence under Section 313 of the I.P.C. The medical examination report also indicates that the victim had suffered abortion due to illegal act committed by the petitioner and others.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory is rejected.

Anyhow if the petitioner surrenders in the court below and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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