

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11636 of 2018

Arising Out of PS. Case No.-64 Year-2016 Thana- MAHILA P.S. District- Patna

Ashok Kumar Singh @ Ashok Kumar, S/o Sri Lal Babu Singh, Resident of Bank Colony, Kothawan Road, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar Mouar, Advocate
For the State	:	Mr. NAND KISHORE PD, APP
For the informant	:	Mr. Harsh Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 313, 323, 504, 506/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the accused persons including the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry and they also pressurized her for abortion.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due. There is no medical finding to suggest that the



miscarriage has taken place due to any omission or commission on the part of the petitioner. The petitioner had filed a divorce application vide Annexure-4 to the present application on 27.05.2016 and the present case was filed in retaliation to Annexure-4 on 24.09.2016. It is nothing but a malafide prosecution brought against the petitioner.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Sadar, Patna in connection with Mahila P.S. case No.64 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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