

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19403 of 2018

Arising Out of PS. Case No.-85 Year-2017 Thana- MAHILA P.S. District- Patna

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Venkatesh Kumar @ Vicky S/o Sanjay Kumar , R/o Village- Narma, P.O.
Narma, P.S.- Hulasganj, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Priya Sharan Singh
For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 379, 313, 498A/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation is that the petitioner committed assault and torture upon the victim due to non-fulfilment of demand of dowry and due to continuous torture she was aborted two times.

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. The victim is in habit of instituting cases for similar offence. There is no medical examination report in support of the allegations made in respect of offence under



Section 313 of the I.P.C. Rest of the offences are triable by the Magistrate. The petitioner denies the marriage. There is no relationship of husband and wife between the petitioner and the victim. The petitioner has 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.

On behalf of the State, it is submitted that the petitioner is named in the 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 Smt. Priya Shekhar, Judicial Magistrate, 1st class, Patna in connection with Mahila P.S. case No.85 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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