

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16192 of 2018

Arising Out of PS. Case No.-113 Year-2016 Thana- DHARHARA District- Munger

Kanhaiya Yadav, Son of Ramdev Yadav, Resident of Village- Mankattha
Bishunpur, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : DR. INDIWAR KUMARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 302, 201 and 498A of the Indian Penal Code and ¾ of
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

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 present
case has been instituted for offences under Sections 302, 201 and
498A IPC and allied sections. It has been submitted that the victim
girl in question was produced before the Magistrate for recording her
statement under Section 164 Cr.P.C. which is evident from Annexure-
2 to the present application. Admittedly, it is not a case for offence



under Section 302 IPC as the girl (victim) is still alive. The case has been instituted due to mistake of fact From the case diary, it has come that the victim girl is mentally ill and is in habit of leaving house without informing any one.

On behalf of the State, 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 A.C.J.M.-II, Munger in connection with Dharhara P.S. Case No. 113/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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