

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31084 of 2018**

Arising Out of PS. Case No.-1564 Year-2016 Thana- PATNA COMPLAINT CASE District-  
Patna

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Abhay Kumar Son of Sri Bireshwar Prasad Resident of Village- Ganjapar,  
P.S. Punpun, District- Patna, at Present Mohalla- Salimpur Ahra, P.S. Gandhi  
Maidan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pammi Kumari Wife of Abhya Kumar, D/o Umesh Prasad Singh Resident of  
Village- Ganipar, P.S. Punpun, District Patna, at Present Village- Ganjpar, P.S.  
Parsa, District- Patna.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner | : | Mr. Ram Sumiran Rai, Advocate |
| For the State      | : | Mr. Yogendra Kumar, A.P.P.    |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

- 3      18-06-2018              Heard learned counsel for the petitioner, learned APP for  
the State and learned counsel for the Opposite Party no. 2

The petitioner is apprehending his arrest in a case  
registered under Section 498A of the Indian Penal Code and <sup>3</sup>/<sub>4</sub>  
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  
petitioner has falsely been implicated in the present case due to  
petty family dispute. The case is triable by the Magistrate. 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 complaint case. On behalf of the Opposite Party No.2 it has been submitted that the petitioner is avoiding his appearance in the proceeding pending before the Family Court.

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 S.D.J.M., Patna in connection with Complaint Case No. 1564C/2016 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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