

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44675 of 2018

Arising Out of PS. Case No.-628 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Kumari Sanyam Rai @ Gudiya wife of Arun Rai alias Arun Kumar and daughter of Daroga Rai Resident of village Kala Diyara, P.S. Salimpur, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Binesh Prasad Singh alias Binesh Rai son of Late Sakaldeo Rai
3. Smt. Malti Devi wife of Binesh Prasad Singh alias Binesh Rai
4. Umesh Kumar alias Jhunna @ Munna son of Binesh Pd. Singh @ Binesh Rai
5. Smt. Neelam Devi wife of Umesh Kumar alias Jhunna @ Munna
6. Awdhes Kumar alias Kalu @ Kelu son of Binesh Pd. Singh @ Binesh Rai
7. Anjali Kumari daughter of Binesh Pd. Singh alias Binesh Rai All residents of village Sabalpur, P.S. Didarganj, District Patna at present residing Rajendra Nagar in front of Rajendra Nagar Terminal, Bishnu Mandir Gali Munnachowk, P.S. Patrakar Nagar, District Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar
For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-11-2018 The petitioner seeks cancellation of anticipatory bail which has been granted by the learned Additional Sessions Judge-III, Barh, Patna to Opposite Parties No. 2 to 7 by order dated 12.06.2018 passed in A.B.P. No. 3385 of 2018 in connection with Complaint Case No. 628C of 2016 instituted for the offences under Sections 341, 324, 326, 307, 315 and 498A of the Indian Penal Code and Section $\frac{3}{4}$ of the Dowry Prohibition Act.

From the perusal of the complaint petition, the S.A. and the order impugned, it appears that the court



below was swayed by the fact that the entire allegation was made by the complainant herself and the court below, relying upon her statement made on solemn affirmation has taken cognizance for the offences. The complainant/petitioner was not asked to produce any witness. That apart, the court below has also taken into account that one unmarried sister-in-law of the petitioner was also made accused who was to get married in a short while.

Taking the aforesaid facts into account, the court below granted anticipatory bail to the opposite parties no. 2 to 7.

No good ground has been made out by the learned counsel for the petitioner to interfere with the aforesaid order.

The petition is dismissed.

(Ashutosh Kumar, J)

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