

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49016 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -DHOLBAJJA District- BHAGALPUR

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Sujeet Kumar, S/o Shankar Mandal, Resident of Village-Naya Nand Gola,
P.S. Tikapatti, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshuman Jaipuriyar

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 493, 376, 498A, 313 of the Indian Penal Code and
4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture,
rape and miscarriage of the victim due to non-fulfillment of
demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no 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. There is no medical examination report of the
victim to support the allegation for the offence under Sections-313



and 376 of the Indian Penal Code. The medical examination report is Annexure-2 to this application. Rest of the offences are 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/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 Chief Judicial Magistrate, Bhagalpur in connection with Dholbazza P.S. Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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