

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66036 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- MAHILA P.S. District- Patna

Vikash Bharti S/o late Ashok Kumar Resident of Kaushmung Mansion,
Shivpuri, P.S. Gardanibagh, District- Patna-2, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant.

The petitioner apprehends his arrest in connection
with Mahila P.S. Case No. 66 of 2018 registered for the offence
punishable under Sections 376/420/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is the elder brother of the boy with whom there was
some matrimonial alliance with the victim girl. It appears that
for one reason or the other, the marriage could not take place
and, therefore, the present F.I.R. has been lodged levelling
allegations against the present petitioner as well as other



members of the family.

Learned counsel for the informant submits that the petitioner is not entitled to the privilege of pre-arrest bail as he has been actively abetting in non-performance of the marriage though the marriage was fixed between the petitioner's brother and the informant. The allegation under Section 376 of the I.P.C. as against the petitioner is that of an abettor and, therefore, he need not be extended the privilege of anticipatory bail.

Considering the entire facts and circumstances of the case and the nature of allegations levelled against the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna, in connection with Mahila P.S. Case No. 66 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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