

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55440 of 2018

Arising Out of PS. Case No.-246 Year-2018 Thana- GARDANIBAG District- Patna

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Amit Kumar @ Amit Kumar Gupta S/o Anil Kumar Gupta Resident of House
No. B - 551, P.N.T Colony, Hulas Bihar, Anishabad, P.S. - Gardanibagh,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajesh Kumar
For the Opposite Party/s : Mr. Arun Kumar Singh -5,
For the O.P. No. 2 : Mr. Jagnath Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for O.P. No. 2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 354, 376, 511 and 34 of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the accused persons including the
petitioner is of committing torture and harassment and 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 been made accused due to mistake
of fact. As far as offence under Sections 354, 376, 511 IPC is



concerned, same is alleged against the other co-accused namely Aashish Kumar. The said co-accused has been granted bail by the Court below. 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 Sri Sunil Kumar Singh, A.C.J.M.-14, Patna in connection with Gardanibagh P.S. Case No. 246 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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