

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44593 of 2018

Arising Out of PS. Case No.-293 Year-2017 Thana- DARIYAPUR District- Saran

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Saroj Kumar @ Saroj Ray, S/o Late Lal Babu Rai, R/o Bisahin, P.S.-
Dariyapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A and 376/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture with the victim due to non-fulfilment of demand of dowry and also establishing physical relationship on pretext of marriage.

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. It is submitted on behalf of the petitioner that prior to institution of the present case, a complaint case was filed by the



petitioner who is the devar of the informant. The said complaint was filed on 16.11.2017 and in retaliation to the same, the present F.I.R. was drawn on 18.11.2017. It is further submitted that it is a mala fide prosecution. The present case has been instituted only with an intention to get the informant married with the petitioner as the elder brother of the petitioner has already expired.

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 Rakesh Kumar-II, A.C.J.M. Saran in connection with Dariyapur P.S. Case No. 293 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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