

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.539 of 2018

Arising Out of PS.Case No. -215 Year- 2016 Thana -BEUR District- PATNA

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1. Vikash Kumar @ Vikash Kumar Jyoti S/o Mukund Prasad Singh, R/o Mohalla- Harnichak Yamuna Path, P.S.- Beur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Madhuri Jha W/o Vikash Kumar @ Vikash Kumar Jyoti, R/o Mohalla- Harnichak Yamuna Path, P.S.- Beur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case instituted under Sections 498A, 323, 307 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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 falsely been implicated in the present case. There is



no injury report to support the allegations made in the F.I.R. for constituting an offence under Section 307 of the Indian Penal Code. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Beur P.S. Case No.215 of 2016, G.R. No.5196, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Savita Rani, J.M. 1st Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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