

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11449 of 2018

Arising Out of PS. Case No.-57 Year-2017 Thana- JALALGARH District- Purnia

Sunil Kumar Thakur son of Ramanand Thakur, resident of village Chatiyona,
Police Station Raniganj, District Araria

... .. Petitioner/s

Versus

1. State Of Bihar
2. Priyanka Kumari daughter of Umesh Thakur, resident of village
Mahiyarpura, Police Station Jalalgarh, District Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka NandSingh

For the Opposite Party/s : Mr. GANESH PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-02-2018 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, 366A, 370, 368 of the Indian Penal Code and Sections 6, 8, 12 of the Protection of Children from Sexual Offences Act, 2012.

Allegation against the petitioner is of committing torture 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 falsely been implicated in the present case. Prior to institution of the present case, on 18.10.2016 the petitioner had filed an application under Section 9 of the Hindu Marriage Act before the Family Court for restitution of conjugal rights vide Annexure 2 to the present



application. The present case has been instituted in retaliation to the case filed by the petitioner before the Family Court vide Annexure-1 to the present application. It has further been submitted that the informant is not minor. She is major. Only with an intention to falsely implicate the petitioner and his family members, she has alleged to be a minor.

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 1st Additional Sessions Judge-cum-Special Judge (POCSO), Purnea in connection with Special case No.45 of 2017 arising out of Jalalgarh P.S. case No.57 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

