

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.232 of 2018

Arising Out of PS. Case No.-1315 Year-2015 Thana- SASARAM MUFFSIL District- Rohtas

Vikash Kumar son of late Haransh Singh, resident of village Babuganj, Police
Station Tilauthu, District Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 304B, 498A/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner committed murder of the sister of the informant 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.

It has further been submitted on behalf of the petitioner that prior to institution of the present case a police case was



instituted. After investigation the police submitted charge sheet, where the case was found to be false against the petitioner and others, which is evident from Annexure-3 to the present application. This is the second case for the same offence instituted by the informant. Here also the police after investigation has found the case to be false and submitted final form. The present prosecution has been instituted for malafide reasons. It is nothing but a malicious prosecution.

On behalf of the State, it is submitted that the petitioner is named in the complaint case.

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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. case No.1315 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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