

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38938 of 2018

Arising Out of PS.Case No. -275 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

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Pramod Kumar, Son of Rajendra Ishwar, Resident of Village - Mai
Dariyapur, Police Station - Muffasil, District - Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Shanker Prasad, Advocate

For the Opposite Party : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-09-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party no.
2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 342, 498(A), 376,
511/34 of the IPC and ¾ of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry. It is also alleged that co-accused
Praveen Kumar (Rahul Kumar) tried to establish physical relation
with the victim.

By order dated 05.07.2018, an opportunity was given
to the parties for reconciliation/one time settlement. On behalf of



the parties, it has been submitted that reconciliation or one time settlement could not be arrived.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. No offence under Section 376 of the I.P.C. is made out in the present case. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M., Munger, in connection with Munger (Muffasil) P.S. Case No. 275 of 2017, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

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(Sudhir Singh, J)

