

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36653 of 2018

Arising Out of PS. Case No.-563 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Ajit Kumar S/o Late Ramesh Shankar Khanna @ Ramesh Shankar, J.T.O.
BSNL Staff Quarter Cant , P.S.- Varanashi Cant, Varanashi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shalini Kumari Sahgal W/o Amit Kumar , C/o Arun Kumar Sahgal, Sahgal Bhawan, Ward No. 15, P.S. + P.O.- Madhubani, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.
For the Opposite Party/s : Sri Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner, being the brother of the husband of the complainant, is apprehending arrest in complaint case, wherein, process has been directed to be issued after cognizance has been taken for the offences punishable under Sections 323,341,498A and 354 of the Indian Penal Code.

The prosecution case as per the complaint petition that the complainant was married with the brother of the petitioner Amit



Kumar on 23.01.2014, but, thereafter, she was tortured for non-fulfillment of dowry demand. It is also alleged against this petitioner that on several occasions he attempted to establish physical relationship with the informant.

It is submitted by learned counsel for the petitioner that the accusation has maliciously been levelled against the petitioner, being brother of the husband of the informant. There is no material or medical report to support the accusation. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioner that he attempted to establish physical relationship with the informant.

Considering the aforesaid facts, coupled with statement made in para no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Madhubani, in connection with Complaint Case No. 563 (CIS)/627 (CR)/2016, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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