

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22795 of 2018

Arising Out of PS. Case No.-6 Year-2017 Thana- BALIGAON District- Vaishali

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Md. Kalam @ Md. Kamal, S/o Late Md. Ajim, R/o Village- Chakjado, P.S.-
Baligaon, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Baligaon P.S. case No.06 of 2017 registered under Sections 498A, 307 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, pending in the court of A.C.J.M. XII, Vaishali at Hajipur.

Allegation against the petitioner is of torturing and assaulting 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. There is no other substantive evidence to suggest



the implication of the petitioner in the present case. The petitioner is the Bhainsur of the victim. He has got no concern with the matrimonial affairs between the victim and her husband.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. There is specific allegation in respect of offence under Section 307 I.P.C. From the injury report, it is evident that there is 40 percent burn injury upon the victim.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

Any how if the petitioner surrenders in the court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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