

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42398 of 2019

Arising Out of PS. Case No.-143 Year-2017 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RUDAL MALAKAR Son of Shatrughan Malakar Resident of Village -
Alapur Dhankaul, P.S.- Barauni, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari Wife of Rudal Malakar D/O- Dinesh Malakar, at present
Resident of Village - Bari Sankh, Tola - Rajmahala, P.S.- Begusarai
Muffasil, District - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh
For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-11-2019 The petitioner apprehends his arrest in connection with

Begusarai (M) Town P. S. Case No. 143 of 2017 registered

under Sections 307, 323,341,342,498A and 504/34 of the Indian

Penal Code and 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner is that marriage of the
petitioner was solenized with the informant on 21.04.2016 and
after some time, petitioner along with other accused persons
started demanding motorcycle as dowry from the informant and
her family members and due to non-fulfillment of the demand,
they tortured the informant mentally as well as physically. It
has further been alleged that petitioner at the behest of father-in-
law and mother-in-law of the informant tried to sprinkle



kerosene oil on the body of the informant with an intention to set her on fire.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case along with his entire family members and the allegation of demand of dowry is general and omnibus in nature. Learned counsel further submits that allegedly petitioner tried to sprinkle the kerosene oil on the body of the informant on 19.01.2017 but the present FIR has been lodged after delay of about more than three months on 12.04.2017. He further submits that despite notice having been issued and served upon the O.P.No. 2, i.e., the informant, she has not appeared before this Court.

Having heard learned counsel for the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus in nature and despite service of notice, O.P.No. 2 has chosen not to appear before this Court, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM,



Begusarai in connection with Begusarai (M) P.S.Case No. 143
of 2017; subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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