

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44780 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA PS District- Katihar

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UMESH MANDAL Son of Janardan Mandal Resident of Village- Sadpur
Rajwara, P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-10-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahila Police Station Case No. 23 of 2019, disclosing offences under Sections 498-A/323/354-B/341/504/506/34 of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report, is that the petitioner, along with other accused persons, tortured the informant, mentally and physically, and due to non-fulfillment of the demand of dowry of Rs. 2,00,000/-, the informant was ousted from her matrimonial home. It has further been alleged that in the night of 16.03.2019, the petitioner, who is devar of the informant, attempted to commit rape on her.

Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in this case with oblique motive inasmuch as the entire family member of the petitioner has been dragged in the present case, alleging reckless allegation against the petitioner and his family members. He further submits that the husband of the informant, i.e. brother of the petitioner, has been granted anticipatory bail by this Court.

Learned Additional Public Prosecutor, referring to the case diary, submits that there is no independent witness to support the allegation levelled by the informant in the First Information Report.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the entire family member of the petitioner has been made accused in the present case and the husband of the informant, i.e. brother of the petitioner, has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

The provisional bail granted to the petitioner by order, dated 22.07.2019, is hereby confirmed.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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