

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52919 of 2019

Arising Out of PS. Case No.-316 Year-2019 Thana- RAJIVNAGAR District- Patna

Abhishek Kumar Singh @ Santosh Kumar Singh Son of Bindeshwari Singh
Permanent Resident of Village - Nuaon, P.S.- Krishna Brtahma, Dist.- Buxar,
At Present resident of Ram Nagari More, Rd. No.4, Magistrate Colony, P.S.-
Rajeev Nagar, Town and Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks arrest in connection with Rajeev
Nagar P.S. Case No. 316 of 2019 registered for the offence
punishable under Sections 323, 376, 498(A)/34 of the Indian
Penal Code.

Petitioner, who happens to be husband of the
informant is said to have taken loan of Rs. 30 lacs from the
Bank of Baroda in the name of the informant and also having
extra marital affairs with some other lady, and on protest made
by the informant, petitioner and his family members subjected
her to torture. Petitioner was also caught red handed along with



one lady, namely, Madhu Mishra at his house by the informant and her brother. Petitioner also used to force the informant to have sexual cohabitation with some other person.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid occurrence. As a matter of fact, informant does not want to live with the petitioner and in order to mount pressure upon the petitioner to extract money from him, she has lodged this case with altogether wrong and concocted allegation. Petitioner has not taken any loan from the Bank in the name of the informant. Prosecution has also not brought any document regarding taking aforesaid loan by the petitioner in the name of the informant. Neither petitioner nor any lady was apprehended from the house rather the petitioner was apprehended by the police at the police station at the instance of the informant by calling him at the police station. After investigation of the case, police has submitted charge-sheet under Sections 323, 498(A) and 504 of the Indian Penal Code only. Petitioner has no criminal antecedent and has been languishing in custody since 27.06.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.



Having regard to the facts and circumstances of the case and period of custody, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Patna in connection with Rajeev Nagar P.S. Case No. 316 of 2019.

(Prakash Chandra Jaiswal, J)

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