

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52896 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- DULHIN BAZAR District- Patna

Akbar Alam, Son of Md. Khalil Miya Resident of Village-Deokali, Police
Station-Guraru, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Srimati Alina Khatoon, Wife of Sarwar Alam, Daughter of Md. Nasruddin @ Mukhlal Miya, Resident of Village-Yenkha, P.S-Dulhin Bazar, District-Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner, being the brother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 314, 315, 498, 495, 498A and 420/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married with co-accused Sarwar Alam, but subsequent to the marriage, all the accused persons including the petitioner started torturing the informant for non-fulfillment of further dowry demand of Rs. 1.5 lacs and a Hero Honda motorcycle. It is further alleged



that all the accused persons including the petitioner administered some medicine to the informant, as a result, the pregnancy of the informant got terminated.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the informant. The accusation against the petitioner is omnibus and general. It is further submitted that there is no medical report with regard to termination of pregnancy of the informant. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the nature of accusation and the fact that thrust of accusation is against the husband of the informant, coupled with the statement made in paragraph 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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Dulhin Bazar P.S.



Case No. 32 of 2019, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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