

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53910 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

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LALAN KUMAR @ LALAN KUMAR JHA Son of Ramesh Jha Resident of
Village-Satgadha, Police Station-Jokihat, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Katihar Mufassil Police Station Case No. 137 of 2019, disclosing offence under Sections 323, 506, 313, 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

The allegation against the petitioner is that marriage of the informant was solemnized with co-accused Subhash Kumar in the year 2014. It has further been alleged that co-accused Subhash Kumar was already in live-in relationship with on Renu Kumari Nagarwal, and after the marriage, co-accused Subhash Kumar along with others started torturing the informant for demand of dowry in the shape of a flat and due to



non-fulfillment of the said demand, the petitioner along with others tortured the informant, mentally and physically.

Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case inasmuch as the petitioner is residing in Mumbai and at present, he is working in the Office of the Chief Accountant General, Mumbai. He further submits that from perusal of the First Information Report, it would be evident that no specific allegation of demand of dowry has been levelled against the petitioner and the allegation is general and omnibus in nature. He further submits that the petitioner is the elder brother of the husband of the informant.

After having heard learned Counsel for the parties concerned and taking into consideration the fact that no specific allegation of demand of dowry is levelled against the petitioner and further the petitioner is the elder brother of the husband of the informant, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Lalan Kumar @ Lalan Kumar Jha, in the event of his arrest or surrender before the Court below within four weeks, 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 Sub Divisional Judicial Magistrate, Katihar, in connection with Katihar Mufassil Police Station Case No. 137 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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