

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56414 of 2019

Arising Out of PS. Case No.-676 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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DHARMENDRA KUMAR @ RINTU @ DHARMENDRA KUMAR DAS
Son of Sri Naresh Prasad Singh @ Bamji Resident of Mohalla - Lalu Path
Sorangpur Near Mukhiya Market Ramkrishna Nagar, P.S.- Ramkrishna
Nagar, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Tinky Kumari D/o Late Sudeshwar Singh Resident of Village - Alabalpur,
P.S.- Gaurichak, Distt - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.676 of 2018 registered for offences punishable under Sections 313, 307, 323, 324, 498(A) of the Indian Penal Code and Section $\frac{3}{4}$ of the D.P.Act.

As per FIR the petitioner happens to be husband of the complainant has aborted the pregnancy of the complainant and also tried to kill her.

Submission of the learned counsel for the petitioner is that the complainant is suffering from AIDS so he is not ready to keep her.



Heard learned A.P.P. and the learned counsel for the informant.. They have opposed the prayer for bail on the ground that AIDS is not contagious disease and that also amounts to torture.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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