

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79477 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- MAHILA P.S. District- Bhojpur

VIKASH KUMAR MISHRA Son of Prem Narain Mishra Resident of Village
- Bihiya, P.S.- Bihiya, Distt.- Bhojpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Smt. Priyanka Giri D/o Amarjit Giri Resident of Village - Kunkuri, P.S.-
Kunkuri, P.S.- Kunkuri, Distt.- Jashpur, State Chhatis Garh.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 498A, 504 & 506 of the Indian Penal Code and Section 67 of the Information and Technology Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry. It is also alleged that the petitioner having administered intoxicated material to the informant, used to take her nude photo and threatened to upload the nude photograph on social media.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has falsely been implicated in the present case due to petty family dispute. A Divorce case is pending between the parties. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhojpur, Ara in connection with Arrah Mahila P.S. Case No. 140 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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