

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6553 of 2020

Arising Out of PS. Case No.-138 Year-2019 Thana- MAHILA P.S. District- Nalanda

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LALU KUMAR @ ABHAY KUMAR Son of Sri Rohan Yadav Resident of
Village- Narhat (Narawat), P.S.-Tetuya (Atri), Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 25-06-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner, learned
counsel for the State as well as learned counsel for the
informant.

Petitioner apprehends his arrest in a case registered
under Sections 498A, 323, 341, 504, 506/34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against petitioner and other co-accused is
of torturing for non-fulfillment of demand of dowry and she was
ousted from her matrimonial Home after snatching her
belongings.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. Informant was never married with the petitioner and parents of informant were negotiating for marriage but the parents of petitioner refused to marry her. As per FIR marriage was solemnized in the year 2016 but informant side cannot produce any single photograph or video clip that any marriage had taken place and informant also stated that she was living in her Sasural but it is strange that she has no issue till date. It has been further submitted that in the FIR neither date nor the month of marriage is mentioned. Petitioner has no criminal antecedent.

Learned Counsel for the informant has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Nalanda Mahila P.S. Case No. 138 of 2019, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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