

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11922 of 2020

Arising Out of PS. Case No.-127 Year-2019 Thana- MAHILA P.S. District- Patna

ROBINS KUMAR S/o Arun Kumar Resident of Village- Simli Nawabganj,
P.S.- Malsalami, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari W/o Niraj Kumar Resident of Village- Simli Nawabganj,
P.S.- Malsalami, Distt- Patna. At present residing at Dariyapur, Millan Chak,
Parsa Bazar, P.S.- Parsa Bazar, Distt- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 07-10-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Patna Mahila P.S. Case No. 127 of 2019, registered for the offence punishable under sections 498A, 504, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the FIR, the informant was married to the elder brother of the petitioner in July, 2016. It is stated that she was tortured and beaten up by the accused persons including the petitioner herein and the petitioner herein



also misbehaved with the informant and forced her out of the house. It is further submitted that her husband beat her up, broken her mobile and the petitioner herein also made an attempt of rape on her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. So far as the husband of the informant is concerned, the matter has been amicably settled between the parties and he has been enlarged on bail vide order dated 5.3.2020 passed in Cr. Misc. No. 11969 of 2020. With respect to the allegations made against this petitioner, it is submitted that the allegations are absolutely false. In the FIR as also in course of investigation, the informant categorically states that she went to her parents place on 26.5.2019, however without giving any date of occurrence with respect to the allegations against this petitioner, the instant FIR was lodged with vague assertions nearly five months later i.e. on 15.11.2019.

The application for bail is opposed by learned APP for the State, who submits that the petitioner has criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the



petitioner together with grant of bail to the husband of the informant, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Patna Mahila P.S. Case no. 127 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/ (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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