

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23186 of 2020**

Arising Out of PS. Case No.-304 Year-2019 Thana- KALYANPUR District- East Champaran

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PRADEEP KUMAR S/o Sri Narayan Singh Resident of Village- Madhopur,  
P.S.- Kalyanpur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                |
|--------------------|---|--------------------------------|
| For the Petitioner | : | Mr. Abhishek Kumar, Advocate   |
| For the State      | : | Mr. Uma Shankar Pd. Singh, APP |
| For the informant  | : | Mr. Rajesh Kumar, Advocate     |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      30-09-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to  
remove the defects, as pointed out by the office, within a period  
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case  
registered under Sections 341, 323, 307, 354, 313/34 of the  
Indian Penal Code and 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing



torture upon the victim due to non-fulfilment of demand of dowry. The accused persons including the petitioner also assaulted the informant brutally and they got terminated her pregnancy by providing medicines.

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. There is no medical evidence in support of the offences under Sections 307 and 313 of I.P.C. For petty reason the alleged occurrence is said to have taken place. Simply it is a dispute of husband and wife.

On behalf of the State and learned counsel for the informant, 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 eight 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 9<sup>th</sup> Additional Chief Judicial Magistrate, Motihari, East Champaran in



connection with Kalyanpur P.S. case No.304 of 2019, subject to  
the conditions as laid down under Section 438(2) of the Code of  
Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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