

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40422 of 2021**

Arising Out of PS. Case No.-54 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Rakesh Kumar, S/o Hari Bhushan Sharma R/o village- Krai, P.S.- Naubatpur,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Beauty Kumari @ Tanuska W/o Rakesh Kumar, D/o Pintu Kumar R/o village- Krai, P.S.- Naubatpur, District- Patna, At present R/o village- Jinpura, P.S.- Bihta, District- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sudhanshu Shekhar, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner as well as

learned APP for the State.

The petitioner apprehends his arrest in connection with Complaint Case No.54(C) of 2021 registered for the offence under Sections 323,504,498(A) of the IPC and Section 3/4 of Dowry Prohibition Act.

Prosecution case in short is that the complainant Beauty Kumari @ Tanushka has solemnized married with Rakesh Kumar on 05.06.2017 according to Hindu Rites and rituals and on the eve of marriage cash Rs. 6,25,000/-, Gold Chain, Ring, Ear Ring, a Hero Honda Motorcycle and other household articles was given to the accused persons. She lived



in her Sasural merely ten days, thereafter, all accused persons had tortured her and demanded one *Kattha* land as a dowry and on non-fulfillment of their demand they assaulted the complainant, brutally and assaulted on belly her and they tied rope in her neck and pulled it with intention to kill her and said if she would not brought dowry then they will torture her continuously. Treatment of complainant was done before by doctor. Complainant further alleged that accused persons used to torture the complainant for which she filed information petition No. 388 of 2019 and before Bihar State Woman Committee but no action was taken against the accused persons, then the complainant has filed this complaint case.

Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive and village politics. He further submits that there is general and omnibus allegation against the petitioner. Petitioner has got no criminal antecedent and he is ready to keep his wife (O.P. No.2) with full honour and dignity.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and also considering that the petitioner is ready to keep his



wife with full honour and dignity, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of communication of this order is directed to 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 Judicial Magistrate, Ist Class, Danapur in connection with Complaint Case No.54 (C) of 2021, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Prakash Narayan /-

U		T	
---	--	---	--

