

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86117 of 2019**

Arising Out of PS. Case No.-30 Year-2018 Thana- MAHILA P.S. District- Vaishali

Manish Kumar, Son of Jawahar Rai, Resident of Village - Hasanpur Gangti,
Katahara O.P., P.S.- Goraul, Distt - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nilu Kumari, D/o Sri Bali Ram Rai, Resident of Sondho Vasudeo, P.S.
Goraul, District Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of normal court proceedings. In the
eventuality of non-removal of defects within undertaken period,
the office will place the matter before the Bench.

The petitioner apprehends his arrest in Mahila P.S. Case
No.30 of 2018, registered for the offences punishable under
Sections 498(A), 376, 511, 354, 504, 506 and 34 of the Indian
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner and other in-laws is of
committing torture upon the victim due to non-fulfillment of
additional demand of dowry. The brother-in-law of the victim is



said to have committed rape with the victim.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner. It is further submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail application. It is submitted that charge-sheet has been submitted against the petitioner under Sections 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. It is submitted that offences against the petitioner under Sections 376, 511 and 354 of the Indian Penal Code are found to be false.

Learned counsel for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner is the husband of opposite party no.2 and there is allegation against him of demanding dowry.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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