

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34177 of 2023

Arising Out of PS. Case No.-364 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

Vicky Kumar S/O Vinod Thakur R/O 24/32, Birla Mandir, Bhawar Pokhar,
Sampatchak, Bankipur, P.S. Pirbahore, Distt.-Patna, Pin-800004.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anand Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 315, 498A of the Indian Penal Code.

Allegation is that accused Vaibhav Kumar was married with the informant in the year 2013 and the informant got pregnant in the year 2021 and when Vaibhav Kumar found that she was pregnant, he tried to get the abortion done for continuous six months but he failed and the informant gave birth to a girl child on 13.08.2021.

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. The



petitioner has been made accused due to mistake of fact. No offence under Section 498A of I.P.C. is attracted against the petitioner as he happens to be the servant of the husband of the victim. Neither he is the family member nor he is anyhow related to the husband of the victim. The petitioner is not named in the F.I.R. There is no medical examination report in support of allegation relating to offence under Section 315 of I.P.C.

On behalf of the State, it is submitted that the petitioner is not 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 twelve 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 Court below/concerned Court in connection with Krishna Puri P.S. case No.364/2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/Vikash

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