

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40712 of 2019**

Arising Out of PS. Case No.-1457 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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CHANDAN KUMAR ROY Son of Late Ram Sharan Yadav Resident of
Village - Manikpur, P.S.- Kurtha, Distt - Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Swati Kumari @ Vidya Wife of Chandan Kumar Roy, D/o Late Shankar Yadav @ Baba Resident of Mohalla - Swarajpur Road, Near Bank of Barauda, Post - Railway Station, P.S.- Kotwali, Distt - Gaya.

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 19887 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- KURTHA District- Jehanabad

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CHANDAN KUMAR ROY SON OF RAMBARAN YADAV RESIDENT OF
VILLAGE - MANIKPUR, P.S. - KURTHA, DISTT. - ARWAL

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SWATI KUMARI WIFE OF CHANDAN KUMAR RESIDENT OF VILLAGE - MANIKPUR, P.S. - KURTHA, DISTT. - ARWAL

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 40712 of 2019)

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

For O.P. No. 2 : Mr. Umakant Mishra, Advocate

(In CRIMINAL MISCELLANEOUS No. 19887 of 2023)

For the Petitioner/s : Mr.Shailesh Kumar Singh

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

For O.P. No. 2 : Mr. Umakant Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 17-08-2023

Ref:- Cr. Misc No. 40712 of 2019

After some argument, learned counsel for the
petitioner prays for and is granted permission to withdraw this
application.



2. This application is dismissed as withdrawn. The petitioner is given liberty to raise all the grounds at the stage of framing of charge.

3. The Trial Court is directed to proceed with the trial.

4. Let a copy of this order be communicated to the District Judge, Gaya for its compliance through FAX and e-mail forthwith.

Ref:- Cr. Misc No. 19887 of 2023

Heard learned counsel for the petitioner and State.

2. This application has been filed for grant of anticipatory bail in connection with Kurtha P.S. Case No. 289 of 2022 for the offence under Sections 341, 323, 337, 379, 504, 354, 354B, 498A of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. Learned counsel for the petitioner submits that he is innocent and he has not committed any offence as it has been alleged in the F.I.R. He further submits that petitioner has never demanded any dowry neither from the opposite party no. 2 nor from her family members. He further submits that petitioner has been falsely implicated in this case.

4. Learned APP for the State has vehemently opposed the prayer of the petitioner.



5. In view of law laid down by Hon'ble Supreme Court in case of *Arnesh Kumar Vs. State of Bihar* reported in *(2014) 8 SCC 273*, the application for anticipatory bail is allowed.

6. Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M, Arwal (Jehanabad) in connection with Kurtha P.S. Case No. 289 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.PC and he will also regularly pay maintenance amount which has been decided earlier.

(Sandeep Kumar, J)

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