

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42626 of 2023

Arising Out of PS. Case No.-279 Year-2020 Thana- BARBIGHA District- Sheikhpora

Vivek Kumar @ Rajesh Kumar S/O Jawahir Yadav R/O Village- Golapur,
Post Office- Maghra, Ps. Deepnagar And Resident Of Masidpur, Ps.
Asthawan, Dist. Nalanda. Present Address-230 R.K. Road, Police Bal,
Jagdalpur, Dist. Chhattisgarh

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Seema Kumari W/O Vivek Kumar @ Rajesh Kumar R/O Village- Masidpur,
Ps. Asthawan, Dist. Nalanda And Golapur, Deepnagar, Dist. Nalanda,
Present Address- Village- Ramjanpur, Ps. Barbigha, Dist. Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 498A, 313, 307, 304(B)/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

3. As per the prosecution case, it is alleged that the petitioner along with other co-accused persons assaulted and tortured informant's sister Mamta Kumari and killed her. On 07.12.2016 the informant was married to the petitioner. It is also alleged that all the accused persons started torturing and assaulting the informant and snatched informant's ornaments and ousted her from the house.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the informant's sister died due to heart disease. He further submits that the informant has solemnized marriage with another person and left the house of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Barbigha P.S. Case No. 279 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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