

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48728 of 2023

Arising Out of PS. Case No.-4216 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Nishant Shekhar Tiwari @ Nishant Shekhar S/O Late Shardendu Shekhar
Tiwari @ Late Pappu Tiwari R/O Mohalla- Upadhyay Lane, West Lohanipur,
P.O And P.S- Kadamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khushbu Raj @ Khushbu Kumari W/O Nishant Shekhar Tiwari @ Nishant
Shekhar, D/O Shri Raj Kishore Pandey R/O Mohalla- Purvi Lohanipur, P.O
And P.S- Kadamkuan, Distt.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. V.M.K. Sinha Mr. Manish Chandra Gandhi
For the State	:	Mr. Umesh Lal Verma
For the Complainant	:	Mr. Vinay Kumar Mr. Ram Swarup Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-10-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

complainant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498(A), 323,
504, 506 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

3. As per the prosecution case, the allegation against
the petitioner is that he along with other accused persons has
assaulted and tortured opposite party no. 2 due to non-fulfillment
of dowry demand.



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 petitioner is the husband of O.P. No. 2 and the O.P. No. 2 has earlier filed a divorce case i.e. Matrimonial Case No. 986 of 2019, which is pending in the learned Court below. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, argument of the parties and perusal of records, 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 Complaint Case No. 4216 of 2019, 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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