

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42550 of 2024

Arising Out of PS. Case No.-107 Year-2022 Thana- TEYAR District- Bhojpur

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Anup Singh S/o Shambhu Singh R/o vill - Hetampur, P.S. - Tiyar, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 26-10-2024 Heard Mr. Shiv Prasad Gupta, learned counsel for the petitioner and Mr. Pradeep Narain Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Tiyar P.S. Case No. 107 of 2022, F.I.R. dated 01.09.2022 registered for the offences punishable under Sections 363 & 365 of the Indian Penal Code.

3. Allegation against the petitioner is of committing torture upon his wife due to non-fulfillment of demand of cash of Rs. 50,000/- and also a motorcycle and due to which he has committed misbehaved with his wife.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Pursuant to the direction of this Court vide order dated 23.08.2024, the victim was recovered and her statement under Section 164 of the Cr. P.C. was recorded in which she has categorically stated that due to fear of the petitioner she had gone to Himachal Pradesh. She further categorically stated that the petitioner has committed always misbehaved with her.

6. Learned APP for the State, on the other hand, vehemently opposed the anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstance of the case as well as in view of the 164 statement of the victim, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Tiyaar P.S. Case No. 107 of 2022 pending in the Court of Chief Judicial Magistrate, Bhojpur at Ara.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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