

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54101 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

DR. HIMANSHU RAJ SON OF SRI SAMPAT KUMAR RESIDENT OF BHAGWATI APARTMENT, BLOCK A I/C BRINDAWAN COLONY, ROAD NO. 1, AIIMS ROAD, OPPOSITE WALMI COMPLEX, PS-PHULWARISHARIF, DIST- PATNA, PRESENTLY RESIDING AT MRA M2, 4TH FLOOR, FLAT NO. 411, SGPGI CAMPUS, SGPGI LUCKNOW 2265014

... .. Petitioner/s

Versus

1. The State of Bihar
2. DR. AKANSHA WIFE OF DR. HIMANSHU RAJ RESIDING AT SRIKRISHNA MEDICAL COLLEGE AND HOSPITAL, PS- AIYAPUR, DIST- MUZAFFARPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akshansh Ankit, Adv.
Ms.Surya Nilambari, Adv.
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP
Mr.Amarendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-01-2024 Heard learned counsel for the petitioner, learned counsel for the O.P. No.2 and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with Aiyapur P.S. Case No.274 of 2021, registered for the offence punishable u/s 341, 323, 308, 314, 498A, 354, 504, 506, 34 of the IPC and ³/₄ of Dowry Prohibition Act.

3. Allegedly, the petitioner along with other F.I.R. named accused persons are said to have continuously tortured the O.P. No.2 after her marriage with the petitioner.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No such occurrence, in the manner as alleged has ever taken place. It is further submitted that vide order dated 09.08.2023 passed in Cr. Misc. No.41160 of 2023 by a co-ordinate Bench of this Court, further proceedings of the court below in connection with present Aiyapur P.S. Case No.274/2021 was stayed with regard to the petitioner. Petitioner has no criminal antecedent.

5. Considering the aforesaid facts and circumstances of the case and the fact that there is no apprehension of the petitioner to be apprehended by the police in the present case, this anticipatory bail application has become infructuous.

6. This application is accordingly dismissed with a liberty to the petitioner to renew his prayer for anticipatory bail, if any adverse order is passed in the aforesaid quashing application.

(Anjani Kumar Sharan, J)

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