

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90254 of 2024

Arising Out of PS. Case No.-167 Year-2024 Thana- RAJPUR District- Rohtas

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Vishal Singh @ Vishal Kumar Son of Ramesh Kumar Ray @ Jakhu Ray
Resident of Village- Malaon, P.S.- Sheosagar, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Pratima Kumari D/O- Birsen Singh, Wife of Vishal Singh @ Vishal Kumar
Resident of Vill- Rajpur, P.S.- Rajpur, District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 02-07-2025 Heard Mr. Babu Nandan Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Anuj Kumar
Shrivastava, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Rajpur P.S. Case No. 167 of 2024 registered under Sections
127(1), 115(2), 303(2), 85, 3(5) of the B.N.S.

3. As per the allegation made in the FIR, the petitioner
along with his family members, used to torture the Informant
(Opposite Party No.2), due to non-fulfillment of demand of
dowry.

4. Learned counsel appearing on behalf of the
petitioner submits that in view of the observation made in the



impugned order that notice is required under Section 41 of the Cr.P.C. and unless the arresting authorities justify the arrest of the petitioner, he cannot be arrested, the petitioner seeks to avail remedy when such occasion arises.

5. Considering the law laid down by the Apex Court in case of in the case of *Arnesh Kumar v. State of Bihar* reported in *(2014) 8 SCC 273* and *Satender Kumar Antil v. CBI* reported in *(2022) 10 SCC 51*, I find that, as and when, the occasion arises, the petitioner may avail appropriate remedy in accordance with law.

6. Accordingly, the present bail petition stands disposed of.

(Purnendu Singh, J)

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