

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41219 of 2017

Arising Out of PS.Case No. -273 Year- 2017 Thana -KADAMKUAN District- PATNA

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Prashant Kumar @ Prashant Braj Kamal (in the F.I.R. it is written as Prashant Kumar @ Prashant Braj Kamal), son of Brij Mohan Prasad Gupta, resident of Laxmi Niwas Apartment Flat No.503, Jagat Narain Road (in front of Dr. Manju Geeta Mishra Hospital, P.S. Kadamkuan, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and ¾ of Dowry Prohibition Act and 66(E) of I.T. Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of



this Court in the case of **Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.**

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge VII, Patna in connection with Kadamkuan P.S. case No.273 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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