

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31280 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -MAHILA P.S. District- SAMASTIPUR

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Amit Kumar Jha Son of Ashok Kumar Jha, Resident of Village-Dhurlakh
Rudauli, P.S.-Mufassil, District-Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kumar Kaushik, Advocate.
For the State : Mr. Nirmal Kumar Sinha, A.P.P.
For the O.P. No. 2 : Mr. Ranjeet Kumar and Mr. Kundan Kumar,
Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner, opposite
party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A) 323,341/34 of the
Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case due to petty family dispute. The petitioner is in-laws of the victim. The petitioner is separate in mess and property from the husband of the victim. 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-II, Samastipur, in connection with Samastipur Women P.S. Case No. 04/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

