

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53509 of 2017

Arising Out of PS. Case No.-2184 Year-2011 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Mukesh Sah S/o Surya Sah, residence of village Bara Bariyarpur, P.S.
Chhatauni, Dist. East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pinki Devi w/o Mukesh Sah, D/o Radha Raman Prasad, at present R/o
village Chanpatiya, P.S. Chanpatiya, Dist. West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$
of Dowry Prohibition 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 the
petitioner has got no criminal antecedent. 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 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case.

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 Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with S.C. No.612 of 2013 arising out of Complaint case No.2184 of 2011, 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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