

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1179 of 2017

Arising Out of PS.Case No. -1861 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Mantoo Kumar, Son of Nathuni Sah, resident of Village-Babhnauli
(Dhokraha), P.S.-Ramnagar, District-West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Bindu Devi, Wife of Mantoo Kumar, daughter of Gorakh Sah, Resident of Village-Siswa Bahuarwa, P.S.- Shikarpur, District-West Champaran

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.
For the State : Mr. Narendra Kumar Singh, A.P.P.
For the Complainant : Mr. Kamal Deo Sharma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner, complainant and

learned counsel for the State.

The petitioner is apprehending his arrest in connection with S.C. No. 499 of 2016, arising out of Complaint Case No. 1861-C of 2011 for the offences instituted under Sections 498(A) of the IPC and 4 of the D.P. Act.

The accusation is of inflicting torture by the accused persons to the complainant due to non-fulfilment of dowry demand.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. Final order for divorce has already been passed vide Annexure-2 to the present application and the order under Section 125 Cr. P.C. has also been passed on the basis of compromise entered into between the parties which is evident from Annexures-3 and 3/1 to the present application.

On behalf of the learned counsels for the complainant and the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with S.C. No. 499 of 2016, arising out of Complaint Case No. 1861-C of 2011 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., West Champaran at Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

