IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21372 of 2017

Arising Out of PS.Case No. -2181 Year- 2013 Thana -PATNA COMPLAINT CASE District-PATNA

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Rakesh Kumar S/o Binod Prasad resident of Village - Ranipur, P.S. - Phulwarisharif, District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Anu Kumari W/o Rakesh Kumar, D/o Sri Parshuram Singh resident of Mohalla - Cotton Mill Colony, Rastriya Ganj, Phulwarisharif, P.S. Phulwarisharif, District - Patna.

.... Opposite Parties

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Appearance :
For the Petitioner : Mr. Kumar Rajeev, Advocate
For the Opposite Parties : Sri Indra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 2181(C) of 2013 for the offences instituted under Sections 323, 498(A) of the IPC and 3/4 of the D.P. Act but cognizance has been taken under Section 498(A) of the IPC.

The accusation is of torture inflicted 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. The

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petitioner has falsely been implicated in the present case. No specific allegation has been made against him. The petitioner is ready to keep the complainant as a wife with full dignity and respect. Learned counsel for the petitioner has relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the complaint case and he is the husband of the complainant.

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 Complaint Case No. 2181(C) of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-III-cum-A.C.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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