

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29364 of 2017

Arising Out of PS. Case No.-81 Year-2015 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Manoj Chauhan Son of Ram Kishun Chauhan resident of village - Sahpur
Jhiloriya, P.S. Akbarpur, District Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pushpa Devi W/o Manoj Chauhan, D/o Binod Chauhan resident of village -
Tarauni, P.S.- Hasua, District - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 23-11-2017 No one appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A and 323 of the Indian Penal
Code.

The matter was referred to the Mediation Centre, Nawada
by order dated 29.08.2017. It has been reported by the Mediator
that the mediation has failed.

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, 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 Sri N.K. Singh, learned Judicial Magistrate, 1st class, Nawada in connection with Complaint case No.81 of 2015, 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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