

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30112 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -NABINAGAR District- AURANGABAD

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1. Krishna Pandey son of Bishnupad Pandey, resident of Village - Chirailee,
P.S. Nabinagar, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Upadhaya son of Surith Upahyaya, resident of Village - Upadhyay
Bigha, P.S. Tandwa, District - Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 498A, 504, 506 of the Indian
Penal Code and ¾ of the 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 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 State, it is submitted that the petitioner is named in the F.I.R.

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 A.C.J.M. 1st, Aurangabad in connection with Nabinagar P.S. case No.37 of 2016, 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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