

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27104 of 2017

Arising Out of PS.Case No. -34 Year- 2015 Thana -SIKARHATA District- BHOJPUR

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1. Krishna Kumar @ Krishna Rai, son of Janeshwar Rai, Resident of Village- Nirbhayadih, Police Station- Sikarahatta, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Awadh Kishore Ray, son of Late Baliram Ray, Resident of Village- Kairan Dehri, Police Station- Sahar, District- Bhojpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner, learned counsel for the Opposite Party No.2 and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest for the offence instituted under Sections 498(A), 341, 323, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and the counsel for the Opposite Party No.2, 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 anticipatory 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 Sikarahatta P.S. Case No. 34 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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