

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30935 of 2017

Arising Out of PS.Case No. -41 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE District- SAMASTIPUR

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Rajnish Kumar, Son of Sri Kishore Singh, Resident of Village- Basutola Kabiya, Ward No.18, Police Station- Bhagwanpur, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar
2. Anupam Kumari W/o Rajnish Kumar, D/o Gopi Bhushan Sharma, Presently Residing at Village Sakh Mohar, Police Station- Bibhutipur, District- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar, Advocate
For the State : Mr. Satyavarat Verma, 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 counsel for the State.

The petitioner is apprehending his arrest in connection with C.R. No. 41/2016, T.R. No. 1939/2017, arising out of Complaint Case No. 41/2016 for the offences instituted under Sections 341, 323 and 498(A) of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant 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 with the witnesses alleged against the petitioner. The case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. 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 learned counsel for the State, it has been submitted that the petitioner is named in the complaint case.

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 C.R. No. 41/2016, T.R. No. 1939/2017, arising out of Complaint Case No. 41/2016 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., Rosera, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

