IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32747 of 2017

Arising Out of PS.Case No. -53 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA

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Angad Kumar Kushwaha, S/o Late Rajai Prasad Mahato, Resident of Village- Puraina, P.S.- Gosai, P.S.- Chanpatiya, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Ashadevi @ Asha Kumari, D/o Dr. Shiv Dayal Verma, W/o Angad Kumar Kushwaha, at present Resident of Mohalla- Amari Adarsh Colony N.S.C.H. road, Agamkuan, P.O.- Gulzarbagh, P.S. Alamganj, District- Patna.

.... Opposite Parties

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Appearance :
For the Petitioner/s : Mr. Abhay Kumar
For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner, learned counsel for the complainant and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Complaint Case No.53(C) of 2016 for the offences instituted under Sections 498(A) of the Indian Penal Code and 4 of D.P. Act.

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

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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***.

It has further been submitted on behalf of the parties that they are agreed to stay together. If the complainant goes to the house of the petitioner, the petitioner shall keep his wife with all respect and dignity.

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 Complaint Case No.53(C) of 2016 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., Patna City, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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