

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29775 of 2017**

Arising Out of PS.Case No. -7 Year- 2016 Thana -GAYA COMPLAINT CASE District- GAYA

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Dharmendra Paswan, son of Shiv Dhari Paswan, resident of Village- Bela,  
P.S.- Mohanpur, District- Gaya.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Rupa Kumari, W/o Dharmendra Paswan, D/o Nand Kishore Paswan,  
Presently residing at Village- Bandhua, P.S.- Mofassil, District- Gaya,  
Permanent resident at Village- Bela, P.S.- Mohanpur, District- Gaya.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Kiran Sinha  
For the Opposite Party/s : Mr. Md. Ansarul Haque

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-07-2017                      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. 07/2016 for the offence instituted under  
Sections 149, 498A, 379, 323, 504 and 325 of the Indian Penal  
Code and 3/4 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 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 complainant, 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 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. 07/2016 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., Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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