

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28381 of 2017

Arising Out of PS.Case No. -755 Year- 2000 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Liladhar Malakar @ Niladhar @ Niladhar Malakar Son of Tanuklal Malakar, Resident of Village - Arar Sukhashan, Police Station - Murliganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Madhu Devi Wife of Liladhar Malakar, Resident of Village - Sukhasan, Police Station - Murliganj (Arar O.P.) presently resident of Village - Kishunganj, Tola - Rambagh, Police Station - Udakishunganj, District - Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498(A), 323/34, 406 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Allegation is that the accused persons including the petitioner tortured the complainant for obtaining two kathas residential land in Kishunganj along with furniture.

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. He is alleged to be the husband of the victim. From perusal of the order sheet of the Sessions Court, it appears that the victim has deserted the petitioner and she is residing with some other person. The petitioner has further relied upon the decision 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 protest-cum-complaint case.

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 learned Sub Divisional Judicial Magistrate, Madhepura in connection with Complaint Case No.755 of 2000 arising out of Murliganj (Arar O.P.) P.S. case No.22 of 1999, 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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