

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44178 of 2017

Arising Out of PS. Case No.-95 Year-2017 Thana- LAURIYA District- West Champaran

Vinay Tiwari Son of Shri Shiv Nath Tiwari, R/o Vill.- Kosut, P.S.- Dhanarua,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Mishra @ Kamini Tiwary, W/o Shri Vinay Tiwari, D/o Umesh Mishra, R/o Vill.- Lauriya Mishra Tola, P.S. + P.O.- Lauriya, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shahzad Hassan Khan, Advocate
For the State	:	Mr. PREM KUMAR JHA, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323, 379, 120B of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim 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 of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The



petitioner has 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 State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R.

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 S.D.J.M., Bettiah (West Champaran) in connection with Lauriya P.S. case No.95 of 2017, 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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