

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33404 of 2017

Arising Out of PS.Case No. -1646 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA
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1. Rohit Kumar son of Dinesh Kumar resident of village - Rajahai, Police Station - Paraiya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Swati Kumari wife of Rohit Kumar, daughter of Ganesh Sharma resident of village - Daudpur, Police Station - Goh, District - Aurangabad.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate

For the Opposite Party/s : Smt. Veena Rani Prasadd., APP
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2017 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the complainant.

The petitioner is apprehending his arrest in a case registered under Section 498(A) of the Indian Penal Code and ¾ of the 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 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 State, it is submitted that the petitioner is named in the 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 Chief Judicial Magistrate, Gaya in connection with Complaint case No.1646 of 2015, 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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