

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.46425 of 2017**

Arising Out of PS.Case No. -1585 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-  
SITAMARHI

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Manish Kumar Mishra @ Manish Mishra Son of Surendra Mishra Resident  
of Village- Hathsaar, P.S. Purnahiya, District Sheshar, At Present P.O.  
Madhya Bihar Gramin Bank, Peeru Branch , District- Aurangabad, Bihar.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Kamini Kumari Wife of Manish Kumar Mishra Resident of Village-  
Hathsaar, P.S. Purnahiya, District - Sheohar, At Present D/o of Sarabjit  
Jha, Village- Manikchowk, P.S. Runnisaidpur, District Samastipur.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Amit Kumar Jha, Advocate.  
For the State : Mr. Uday Pratap Singh, A.P.P.

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

2      21-09-2017                      Heard learned counsel for the petitioner, learned  
  
A.P.P. for the State and learned counsel for the opposite party no.  
  
2.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 498(A)/34 of the IPC and 4  
of the D. P. Act.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the victim due to non-  
fulfillment of demand of dowry.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There



is no allegation of tampering with the 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Sitamarhi Sadar, in connection with Complaint Case No. C1-1585 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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**(Sudhir Singh, J)**

