

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44051 of 2017

Arising Out of PS. Case No.-291 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Pankaj Prasad, son of Sukhlu Sao, resident of Village- Bir Oriara, P.S.-
Dhanarua, District- Patna, at present residing near Durga Mandir, Gaighat,
P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sushma Devi, Wife of Pankaj Prasad, daughter of Mannu Prasad, Resident
of Village- Ata Sarai, P.S.- Islampur, District- Nalanda, at present residing in
renter of Gariban Tanti, Mohalla- Chailital, P.S.- Alamganj, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar, Advocate
For the Opposite Party/s : Mr. MD. NAZIR ANSARI, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$
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, 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 A.C.J.M., Patna City in connection with Complaint case No.291 of 2016, 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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