

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41525 of 2017

Arising Out of PS.Case No. -1520 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Santosh Rai @ Santosh Kumar, S/o Sri Ashok Rai, Resident of Village-
Bawanghat, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sonaphy Devi, W/o Santosh Rai @ Santosh Kumar, D/o Motilal Rai,
Village- Bawanghat, P.S.- Mahua, District- Vaishali at present Naihar-
Village Subhai, P.S.- Sadar Hajipur, Distt- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha
For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 498(A)/34 of the Indian Penal Code and
3/4 of D.P. Act.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.1520 of 2016 (Tr. No. 2677/17), on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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