

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50553 of 2017

Arising Out of PS. Case No.-431 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Rajesh Paswan @ Rajesh Kumar Paswan S/o Kari Paswan, resident of village
Biraul, P.S. Khajauli, Dist. Madhubani

... .. Petitioner/s

Versus

1. State Of Bihar
2. Jayoti Kumari @ Jyoti Kumari w/o Rajesh Paswan, resident of village
Biraul, P.S. Khajauli, Dist. Madhubani, at present D/o Raj Kumar Paswan,
resident of village Sarabe, P.S. Khajauli, Dist. Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manish Kumar No 13, Advocate Mr. Jitendra Kumar Bharti, Advocate Mrs. Nitu Kumari No.7, Advocate
For the State	:	Mr. Nagendra Prasad, APP
For opposite party No.2	:	Mrs. Kusum Rani, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 323,498A, 149, 379, 504/34 of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act but cognizance has been taken u/ss. 323, 379, 149, 504/34 and 498A of the I.P.C.

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 S.D.J.M., Madhubani in connection with C.R. case No.431 (CIS)/ 487 (C.R.) of 2016 corresponding to T.R. No.2545 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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