

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40866 of 2017

Arising Out of PS.Case No. -3690 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Bharat Sah son of Ram Awatar Sah, resident of village Ahirauli Dan Loknaha, P.S. Tareya Sujan, District Kushi Nagar, Uttar Pradesh

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi wife of Bharat Sah, presently residing at C/o Patiram Sah, village Sawreji, P.S. Mirganj, District Gopalganj, Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Indrajeet Bhushan, Advocate

For the State : Mr. Kalyan Shankar, APP

For Opposite Party No.2 : Mr. Sanjay Kr. Pandey No.5, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 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 498(A) of the Indian Penal Code and 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 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 and learned counsel for the Opposite Party No.2, 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 S.D.J.M., Gopalganj in connection with Trial No.3240 of 2017 arising out of Complaint case No. & CIS No.3690C 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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