

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37538 of 2017

Arising Out of PS.Case No. -651 Year- 2016 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Ajay Kumar, Son of Late Ram Awatar Choudhary, Resident of Village Khairahi, P.S.- Dawath, District- Rohtas, at present residing at Flat No. 105, opposite Panjab Hotel, N.H. 5, Kali Nagar, Vishakhapatnam (A.P.).

.... Petitioner

Versus

1. The State of Bihar.
2. Kumari Chand @ Chand Kumari, wife of Ajay Kumar, D/o Akshay Lal Chaudhary, Resident of Village- Bali, P.S.- Nawa Nagar, (Sonavarsha O.P.), Dist.- Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sangeet Deokuliar, Advocate.
For the State : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 651C of 2016, Tr. No. 2623 of 2017 for the offences instituted under Sections 406, 323, 498(A) of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant 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 with the witnesses alleged against the petitioner. He 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, 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 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. 651C of 2016, Tr. No. 2623 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Buxar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

