

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49758 of 2017**

Arising Out of PS. Case No.-14 Year-2017 Thana- SARE District- Nalanda

Ajay Halwai @ Ajay Gupta, S/o Late Nepali Sao @ Nepali Halwai, R/o village- Mehus, P.S.- Mehus, District- Sheikhpura, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. SRI NAND KUMAR

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-10-2017      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 F.I.R.

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. VII, Biharsharif, Nalanda in connection with Sare P.S. case No.14 of 2017 arising out of Complaint case No.190(C) of 1998, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

