

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46843 of 2017

Arising Out of PS. Case No.-77 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Nitesh Kumar Mahasheth, Son of Ashok Kumar Mahasheth, Resident of
Village- Shubhankarpur Vakataurganj, P.S.- Town, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kamini Kumari, Wife of Nitesh Kumar Mahasheth, Daughter of Krishna Prasad, Resident of Mohalla- Hajiganj, P.O.- Patnacity, P.S.- Chowk, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Anand, Advocate
For the State	:	Mr. SATYA NAND SHUKLA, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-09-2017 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 Sections 498A and 313 of the Indian Penal Code.

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 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 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 learned A.C.J.M., Patna City in connection with Complaint case No.77 of 2015, 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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