

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36509 of 2017

Arising Out of PS.Case No. -234 Year- 2014 Thana -ALOULI District- KHAGARIA

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1. Ashutosh Kumar Son of Dr. Kuber Ram Maurya, R/o Flat No. 202, M.S. Smiriti Complex, Ashiyana Digha Road, P.S.- Rajiv Nagar, District- Patna.

.... Petitioner

Versus

1. The State of Bihar .
2. Mrs. Anu Kumari W/o Shri Ashutosh Kumar and D/o Shri Rajiv Kumar Verma @ Ram Naresh Verma, R/o Alauli Bazar, P.S.- Alauli, District- Khagaria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf
For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Alauli P.S. Case No. 234 of 2014 for the offence instituted under Section 498A/34 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory 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 Alauli P.S. Case No. 234 of 2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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