

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45455 of 2017

Arising Out of PS. Case No.-832 Year-2013 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Pappu Yadav S/o Kailu Yadav, resident of village Shishai, P.S. Saharsa Sadar,
District Saharsa

... .. Petitioner/s

Versus

1. State Of Bihar
2. Mushaharnia wife of Raj Kishore Yadav, resident of Ghoghanpatti, P.S.
Sour Bazar (Patarghat O.P.), District Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 217, 218, 323, 354, 506, 509, 384, 498A, 120B of the Indian Penal Code and ³/₄ of Dowry Prohibition Act, but cognizance has been taken under Sections 323 and 498A of the I.P.C.

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 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 Sub Divisional Judicial Magistrate, Saharsa in connection with Complaint case No.832 of 2013, 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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