

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42433 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -MAHILA P.S. District- MADHUBANI

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1. Pramod Mahto, S/o Ramchandra Mahto, Resident of Village- Tamoria,
P.S.- Lakhanaur, Dist- Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. Bechani Devi, W/o Pramod Mahto, Resident of Village- Tamoriya, P.S.-
Takhanaur, Dist- Madhubani, at present- Bechani Devi, D/o- Phulchandra
Mahto, Resident of Village- Pastan, P.S.- Andhramath, Dist- Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Madhubani Mahila P.S. Case No. 93 of 2016, G.R. No.2337
of 2016, for the offence instituted under Sections 341, 323,
498(A), 504 and 506/34 of the Indian Penal Code.

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. He has falsely been
implicated in the present case. There is no allegation of tampering



of witnesses alleged against the petitioner. 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 Madhubani Mahila P.S. Case No. 93 of 2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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