

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50042 of 2017

Arising Out of PS. Case No.-1761 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Abhay Kumar Sinha son of Shakti Kumar Sinha @ Shakti Sinha, resident of vilalge Dumara, Police station Haspura, District Aurangabad, at present residing at Mohalla Dinkarnagar, Forest Colony, Police Station Sadar, District Hazaribagh

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Prity Sinha w/o Sri Abhay Kumar sinha, D/o Sri Narmdeshwar Prasad Srivastav, at present residing at Shivajee Path, Yarpur, Rajputana, Police Station Gardanibagh, District Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh
For the Opposite Party/s : Mr. SRI PANCHANAND PANDIT

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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 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 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 Sub Divisional Judicial Magistrate, Patna in connection with Complaint case No.1761C of 2016, 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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