

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43808 of 2017

Arising Out of PS.Case No. -835 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-BHAGALPUR

Ashok Das, S/O Late Dasrath Das, resident of Gola Ghat, Sonbarsha Lane, P.S. Tatarpur, District-Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Doli Devi, W/O Ashok Das (D/O Arjun Das) resident of Mohalla- Gola Ghat, Sonbarsha Lane, P.S. Tatarpur, District-Bhagalpur. At present- Behind of R.D.D. Compound, P.S. Adampur, District-Bhagalpur.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Amrendra Kumar Jha, Advocate.

For the State : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in connection with Complaint Case No. 835/2011 for the offences instituted under Sections 341, 323, 498(A), 406 and 504/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due



to petty family dispute. The case is triable by the Magistrate. The petitioner has further 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.

It has been submitted by learned counsel for the State that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on 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 Complaint Case No. 835 of 2011 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

