

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49440 of 2017

Arising Out of PS. Case No.-279 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Shesh Nath Sah S/o Parmeshwar Sah, residence of village Harnahi, P.S.
Raxaul, Dist. East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Gogiya Devi w/o Shesh Nath Sah, D/o Mahabir Sah, at present R/o village
Ward No.13, Raxaul, P.S. Raxaul, Dist. East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. SANJAY KUMAR SINGH, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 341, 379, 498A and 494 of the
Indian Penal Code.

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, Raxaul at Motihari, East Champaran in connection with Trial No.3186 of 2017 arising out of Complaint case No. C-279 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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