

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57207 of 2017

Arising Out of PS. Case No.-43 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Vyas Nishad S/o Late Bhukhal Nishad, R/o Village- Kathaha, P.S.- Dhanaha,
District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Devi W/o Vyas Nishad, D/o Sudarshan Nishad, At present R/o Village-
Aragana Tola Rampur, P.S.- Lauriya, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Adv.
For the State	:	Mr. AMITESH KUMAR, APP
For O.P. No.2	:	Mr. Anand Kishore Chaudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498A 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 and learned counsel for the O.P.
No.2, 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, Bagaha, West Champaran in connection with Trial
No.5164 of 2017 arising out of Complaint case No. C-43 of
2017, 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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