

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48946 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -MAHILA P.S. District- MADHUBANI

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Chandan Jha Son of Late Mahanand Jha, Resident of village - Barsam, P.S.
Rudrapur, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Aasha Kumari Wife of Chandan Jha, at Present resident of village -
Simra, P.S. Jhanjharpur, District - Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 20-03-2017 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Opposite Party No.2.

The petitioner is apprehending his arrest in a case registered under Section 341, 323, 313, 498(A)/34 of the Indian Penal Code and ¾ of the Dowry Prohibition Act.

The prosecution case, in brief, is that the informant was married with the petitioner and after marriage the accused persons including the petitioner demanded Rs.5 lacs as dowry and due to non-fulfilment of dowry they assaulted and tortured her and lastly ousted her from the matrimonial home.

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. Prior to



institution of the present case a Divorce application was filed by the petitioner vide Annexure-5 to the present application. The counsel for 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 the learned counsel for the Opposite Party No.2, it is submitted that the petitioner is named in the F.I.R.

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 S.D.J.M., Madhubani in connection with Mahila P.S. case No.62 of 2016 (G.R. No.1150 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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