

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56341 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Birendra Kumar @ Virendra Kumar Son of Late Surgan Paswan resident
of Saket Vihar, Anishabad, P.S. Phulwarisharif, District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Smt. Manisha Kumari alias Pinky Kumari W/o Birendra Kumar, D/o Sri
Bihari Paswan resident of Purander, Bharat Lal Tent Merchant Road, P.S.
Jakkanpur, District - Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 498(A) of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the 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 case is
triable by the Magistrate. The petitioner has falsely been



implicated in the present case. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 247/2017, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XII, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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