

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61681 of 2017

Arising Out of PS.Case No. -1243 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Naveen Shrivastava Son of Rajeshwar Prasad Resident of Village Sripur Bhatwalia, P.S. Sugauli, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anit Kumari Wife of Naveen Shrivastava Daughter of Arjun Prasad (Advocate) resident of near Mahila College, Bhawanipur Zeerat P.O. Motihari P.S. Chhatauni, District East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-12-2017 Heard learned Counsel for the petitioner, learned counsel for the State and learned Counsel appearing on behalf of the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Sections 498(A), 406 and 506 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 petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. 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 v. The State of Bihar**, reported in **2006 (3) PLJR 182**.

On behalf of the State and counsel for the O.P. No.2, 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. 1243C of 2015 (Trial No. 8677 of 2015) on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, at Motihari, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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