

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57024 of 2017

Arising Out of PS. Case No.-345 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ajay Malakar @ Ajay Kumar Malakar, S/o Yogendra Malakar, Resident of
Village- Patailiya, P.O.- Patailiya, P.S.- Bibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Archana Kumari, D/o Lalan Bhagat, R/o Loknathpur Ward No.12, Nagar
Panchayat Dalsing Sarai, P.O.+P.S.- Dalsing Sarai, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Pandey

For the Opposite Party/s : Mr. NARENDRA KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 504 of the Indian Penal
Code and 3 and 4 of Dowry Prohibition Act.

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 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 S.D.J.M., Dalsing Sarai in connection with C.R. No.345 of 2015, T.R. No.1332 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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