

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44402 of 2017

Arising Out of PS.Case No. -354 Year- 2016 Thana -DARBHANGA COMPLAINT CASE District-DARBHANGA

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Sambhu Yadav, S/O Ramashrya Rai, R/V- Dhaidh, P.S. Khanpur, District-Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Raspati Devi, W/O Sambhu Yadav, R/O Village-Dhaid, P.S. Khanpur, District-Samastipur, at present D/O Upendra Yadav, R/O Village-Baniya Bandh, P.S. Biraul, District-Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the State : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with T.R. No. 1485 of 2016, arising out of C.R. No. 354/16 for the offences instituted under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the complainant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due



to petty family dispute. The case is triable by the Magistrate. The petitioner has further 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.

It has been submitted by learned counsel for the State that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with T.R. No. 1485/16, arising out of C.R. No. 354/16 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 6th, Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

