

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9711 of 2017

Arising Out of PS.Case No. -534 Year- 2016 Thana -PHULWARI District- PATNA

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Arun Kumar, Son of Kameshwar Prasad, Resident of Village- Baboochak,
P.S.- Phulwari Shariff, Dist.- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Heeramani Devi, Wife of Arun Kumar, Daughter of Kamaldeo Rai,
Resident of Village- Brahma Asthan P.S.- Sakurabad, Dist.- Jehanabad.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Ghosarvey, Advocate.
For the State : Smt Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Phulwarisharif P.S. Case No. 534/2016, G. R. No. 5892/2016
for the offences instituted under Sections 494, 498(A) and 341/34
of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant because she
has no issue and also did not provide food to her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering with the witnesses alleged against the petitioner. The



case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. 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.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

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 Phulwarishariff P.S. Case No. 534/2016, G. R. No. 5892/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

