

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30245 of 2017

Arising Out of PS.Case No. -1486 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Surendra Mahto son of Asharfi Mahto, resident of village - Jhumka Senwariya, Police Station - Inarwa, District - West Champaran at Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Antima Devi wife of Surendra Mahto, Daughter of Moti Mahto resident of village - Jhumka Senwariya, Police Station - Inarwa, District - West Champaran at Bettiah, At present resident of Village - Siswa, Police Station - Shikarpur, District - West Champaran at Bettiah.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the complainant.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ 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 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 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.**

On behalf of the State and learned counsel for the complainant, 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 Sub Divisional Judicial Magistrate, West Champaran at Bettiah in connection with Complaint case No.1486C of 2016/ Special Case (S.C.) No.1193 of 2016, 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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