

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31991 of 2017

Arising Out of PS. Case No.-14 Year-2017 Thana- GARKHA District- Saran

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Ajay Rai @ Ajay Kumar Rai Son of Sudarshan Rai, R/o Village- Pohiyar,
P.S.- Garkha, Distt. Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Indu Kumari Devi, W/o Ajay Rai @ Ajay Kumar Rai, D/o Subhash Rai, At present R/o Village- Pahleja Shahpur Diyara, P.S.- Sonapur, Distt. Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. MD. ANSARUL HAQUE, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2017 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 379 and 498A/34 of the Indian Penal Code.

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 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 opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

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 A.C.J.M. 5th, Saran at Chapra in connection with Garkha P.S. case No.14 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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