

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37246 of 2017

Arising Out of PS.Case No. -1475 Year- 2014 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Fulchand Chauhan @ Fulchan Chauhan, Son of Late Kameshwar Chouhan, Resident of Village- Bara Tola, Western Pandui, P.S.- Narhat, District- Nawada.

.... Petitioner

Versus

1. The State of Bihar.
2. Laxwa Devi, Wife of Fulchand Chauhan, D/o Sri Pyare Chauhan, Resident of Village- Kashibigha, P.S.- Nardiganj, District- Nawada.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar
For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 1475 of 2014 for the offence instituted under Sections 498(A), 379, 307 of the Indian Penal Code and 3&4 of D.P. Act but the cognizance has been taken under Section 498(A) of the Indian Penal Code only.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory 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 Complaint Case No. 1475 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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