

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39831 of 2017**

Arising Out of PS.Case No. -60 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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1. Shani Kumar Son of Sudhir Prasad Resident of Village- Kahthu, P.S. Jagdishpur, District Bhojpur.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Khushbu Devi wife of Shani Kumar, D/o Manoj Kumar Singh Resident of Village- Kori, P.S. Sandesh, District- Bhojpur(Ara).

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-08-2017                      Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Bhojpur Mahila P.S. Case No.60/2017 for the offence instituted under Sections 498A, 379/34 of the Indian Penal Code and 3/4 of D.P. Act.

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. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. 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 and the counsel for the informant, 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 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 Bhojpur Mahila P.S. Case No.60/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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