

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35772 of 2017

Arising Out of PS.Case No. -712 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Biranjan Sah Son of Sudhan Sah, Resident of Village- Mishra Tola,
Police Station- Lauriya, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Chunmun Devi, Wife of Biranjan Sah and Daughter of Dharmnath Sah,
Resident of Village- Mishra Tola, Police Station- Lauriya, District- West
Champaran. Presently residing at Village- Paroraha, Police Station- Sathi,
District- West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 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 Tr. No. 1178/2016, arising out of Complaint Case
No. 712C of 2016, for the offence instituted under Sections
498(A) and 323 of the Indian Penal Code.

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, 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 Tr. No. 1178/2016, arising out of Complaint Case No. 712C of 2016 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., Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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