

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41248 of 2017

Arising Out of PS.Case No. -1052 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Kamlesh Jha S/o Late Ramakant Jha, R/o Village- Bhamrupur, P.S.
Samastipur, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Rupa Jha D/o Ram Naresh Choudhary, W/o Kamlesh Jha, Resident of
Village- Ramapur, Maheshpur, P.S.- Tajpur, District- Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha
For the Opposite Party/s : Mr. Nityanand Tiwary
Mr. N.N. Ambastha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-08-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned counsel appearing on
behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.1052(C) of 2016 for the offence
instituted under Section 498A 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 and the counsel for the complainant, 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.1052(C) 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 A.C.J.M., Danapur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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