

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41984 of 2017

Arising Out of PS.Case No. -1191 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA
=====

Rakesh Kumar @ Bhola Ram, son of Niranjan Mistry, Resident of Mohalla-
Bari Road, Kathokar Talab, P.S. Kotwali, District-Gaya

.... Petitioner

Versus

1. State of Bihar
2. Khusboo Devi D/o Manoj Ram, W/o Rakesh Kumar Alias Bhola Ram
R/o Mohalla-Mangla Gauri, P.S. Vishnu Pad, District- Gaya

.... Opposite Parties
=====

Appearance :

For the Petitioner/s : Mr. Mahtab Alam

For the Opposite Party/s : Mr. Madhuranand Jha
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 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.1191/2015 for the offence instituted
under Section 498(A) 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 Complaint Case No.1191/2015 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.-IXth, Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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