

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49266 of 2017

Arising Out of PS. Case No.-36 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Gajendra Patel Son of Yogi Patel, Resident of Village-Mangalpur, P.O. Kusheni, Police Station-Dumariya Ghat, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Antima Devi Daughter of Anirudh Patel Resident of Village--Saraiya Baduraha, P.O. Khajuria, Police Station-Dumariya Ghat, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of 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 due to petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case



of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors.
Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is
named in the complaint case.

Considering the aforesaid facts and circumstances, let the
petitioner, above named, in the event of arrest/surrender before
the learned court below within a period of six weeks from today,
be released on anticipatory bail on furnishing bail bonds of
Rs.10,000/- (Ten thousand) with two sureties of the like amount
each to the satisfaction of Smt. Manju Shri Kumari, the learned
Judicial Magistrate, 1st class, Sadar, Motihari in connection with
Trial No.632 of 2017 arising out of Complaint case No.36 of
2017, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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