

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59371 of 2017

Arising Out of PS. Case No.-111 Year-2017 Thana- BAIRIYA District- West Champaran

Shailesh Kumar, S/o Late Hira Lal, Resident of Village- Telephone Exchange Gali, Jay Prakash Nagar, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nisha Verma, W/o Shailesh Kumar, D/o Vipeen Bihari Verma, aged about 30 years, Resident of Village- Telephone Exchange Gali, Jay Prakash Nagar, P.O.- G.P.O., P.S.- Jakkanpur, District- Patna. Present address Resident of Village- Pathri Ghat, Betiya, P.O.- Betiya, P.S.- Beriya, Dist- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Satish Kumar, Advocate
For the State	:	Mr. LALAN KUMAR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 379, 120B of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the F.I.R.

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 learned S.D.J.M., Betiya, West Champaran in connection with Beriya P.S. case No.111 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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