

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59425 of 2017

Arising Out of PS. Case No.-128 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Binod Sah @ Binod Kumar, S/o Palat Sah @ Palat Prasad Gupta, resident of
Village- Tumariya Tola, Ward No. 1, P.S. Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Devi, W/o Binod Kumar, resident of Village- Tumariya Tola, Ward No. 1, P.S. Raxaul, District- East Champaran, At present D/o Kailash Sah, resident of Village- Mauje, P.S. Raxaul, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr. SHYAM BIHARI SINGH, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 379 and 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 learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in connection with Trial No.3057 of 2017 arising out of Complaint case No.128 of 2016, 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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