

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60525 of 2017

Arising Out of PS.Case No. -232 Year- 2017 Thana -KOTWALI District- MUNGER

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Dilip Kumar Sharma @ Dilip Kumar, aged about 45 years S/o late Shiv Pujan Prasad R/o Keshopur Grudwara Road, P.S. Jamalpur, District Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dharendra Nath Jha, Advocate.

For the Opposite Party : Mr. Amrendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 324, 307, 498(A), 506/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. There



is no injury report to support the allegations made in the F.I.R. After 20 days of occurrence, F.I.R. has been instituted. Delay has not been explained by the prosecution. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Munger, in connection with Kotwali P.S. Case No. 232 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

