

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40715 of 2017

Arising Out of PS. Case No.-78 Year-1991 Thana- AMARPUR District- Banka

Mani Kant Bhagat, Son of Late Mohan Lal Bhagat, Resident of Village-
Amarpur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. MATLOOB RAB, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 304B, 498A of the Indian Penal Code and 3 and 4 of Dowry Prohibition Act.

Allegation against the accused persons including the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry, as a result of which she died.

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. After investigation the police submitted final form. In course of investigation the witnesses have not support the prosecution



case. The learned court below has differed with the police report and has taken cognizance under the alleged offence. On the statement of the deceased, U.D. case was instituted. The deceased prior to her death has not supported the allegations made in the F.I.R.

On behalf of the State, 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., Banka in connection with Amarpur P.S. case No.78 of 1991 (G.R. case No.353 of 1991), 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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