

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30328 of 2017

Arising Out of PS.Case No. -1261 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Arun Mahto @ Hardeo Mahto, son of Shri Budhan Mahto, resident of Village- Sofwa, P.O.- Narkatiaganj, Police Station- Shikarganj, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Karina Devi, wife of Shri Arun Mahto @ Hardeo Mahto, daughter of Sheoji Mahto, resident of Village- Sofwa, P.O.- Narkatiaganj, Police Station- Shikarpur, District- West Champaran, at present resident of Village- Langra Diullya, Police Station- Shikarpur, District- West Chamaparan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 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 and 498(A) 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 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 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 Sub Divisional Judicial Magistrate, Bettiah, District West Champaran in connection with S.C. case No.1139 of 2016 arising out of Complaint case No.1261C of 2015, 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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