

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45191 of 2017

Arising Out of PS. Case No.-731 Year-2014 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Kundan Kumar Mahto s/o Raghuni Mahto, residing at village Chandpura,
Tola Parna, P.S. Chandpura, Dist. Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Reshmi Devi w/o Kundan Kumar Mahto, D/o Umesh Singh, presently
residing at village Icharua, P.S. Alauli, Dist. Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. SRI ANAND MOHAN PRASAD MEHTA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498A, 379, 494 of the Indian
Penal Code and 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, 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 S.D.J.M., Khagaria in
connection with Complaint case No.731C of 2014, 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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