

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49365 of 2017

Arising Out of PS. Case No.-128 Year-2017 Thana- KESARIA District- East Champaran

Niraj Singh @ Neeraj Singh S/o Upendra Singh R/o Village-Chand Parsha,
P.s.-Keshariya, District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kushbu Devi W/o Niraj Singh, D/o Raj Kishore Singh, R/o Village-Barharwa, P.S.-Turkauliya, District-East Champaran. Presently At Village-Chand Parsha, P.S.-Keshariya, District-East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. AJAY KUMAR -2, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ 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



matter has already been compromised between the parties vide Annexure-2 to the present application. 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 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Keshariya P.S. case No.128 of 2017, 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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