

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.37966 of 2017**

Arising Out of PS.Case No. -2895 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

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Birendra Kumar Son of Sri Ganga Prasad Sahu, Resident of Mohalla  
Ashpuram Stadium Road, Rajendra Nagar, P.S. Ijjat Nagar, District Bareilly  
(U.P.)

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ravi Ranjan, Advocate.

For the Opposite Party : Mr. Anuj Kumar Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      10-08-2017                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Complaint Case No. 2895/2014 for the offences instituted  
under Sections 498(A) of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the complainant 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 with the witnesses alleged against the petitioner. He 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 has been submitted that the petitioner is named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 2895/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., East, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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**(Sudhir Singh, J)**

