

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43932 of 2017

Arising Out of PS. Case No.-2733 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Atul Srivastava, son of Awadhesh Kumar Srivastava, Resident of Mohalla-
Jai Prakash Nagar, P.O. and P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kavita Srivastava, Wife of Atul Srivastava, Daughter of Late Anjani Kumar Prasad, at present Resident of at Parental House at Digha X TTI, Patna, P.O.- Digha Town and District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sudhanshu Kumar Lal, Advocate
For the State	:	Mr. Iftekhar Mahmood, APP
For Opposite Party No.2	:	Mr. Kamala Kant Tiwary, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and 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 and learned counsel for the opposite party No.2, 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 S.D.J.M., Patna in connection with Complaint case No.2733C of 2016, 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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