

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50193 of 2017

Arising Out of PS. Case No.-116 Year-2017 Thana- SAHPUR District- Bhojpur

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Manoj Mishra @ Guddu Mishra son of Vidyanand Mishra, resident of village
Durgadih, P.S. Bikramganj, District Rohtas

... .. Petitioner/s

Versus

1. State Of Bihar
2. Baby Devi wife of Manoj Mishra, daughter of late Mritunjay Pandey,
resident of village Belauti, Police station Shahpur, District Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Surendra Singh, Advocate
For the Opposite Party/s :	Mr. Humayou Ahmad Khan, APP
For opposite party No.2 :	Mr. Anirudh Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2017 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 Sections 323, 379, 380, 498A/34 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



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 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Shahpur P.S. case No.116 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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