IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60171 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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1. Vikash Rai, Son of Chandrama Rai, Resident of Village- Birampur, Police Station- Koilwar, District- Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Kusum Devi, Daughter of Shyam Lal Rai, Wife of Vikash Rai, Resident of Village- Birampur, Police Station- Koilwar, District- Bhojpur. at present residing at Village Pontpur, Police Station- Koilwar, District Bhojpur.

.... Opposite Parties

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case instituted under Sections 498(A), 379 of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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. The case

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is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari 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 F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Mahila P.S. Case No.30/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur, Ara, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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