

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

**Criminal Miscellaneous No.52223 of 2017**

Arising Out of PS.Case No. -1777 Year- 2009 Thana -MUZFFARPUR COMPLAINT CASE  
District- MUZAFFARPUR

=====

Kanhai Rai @ Kanhai Ram, Son of Late Jangi Ram, Resident of Village-  
Nazirpur, Chamartoli, P.S.- Ujiyarpur, Dist- Samastipur.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Smt. Bina Devi, D/o Mahendra Das, Wife of Kanhai Ram, Resident of Mohalla- Ambedkar Nagar, Station Road, Ward No.24 P.S.- Samastipur, Dist- Samastipur. at present Resident of Village- Languradih, Ward No.10, P.S.- Katara, Dist- Muzaffarpur.

.... .... Opposite Parties

=====

**Appearance :**

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate.  
For the State : Mr. Rajkishore Singh, A.P.P.

=====

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

2      09-11-2017                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused  
persons including the petitioner tortured the victim due to non-  
fulfillment of demand of dowry.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There  
is no allegation of tampering with the 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 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-cum-Sub Judge-III, Muzaffarpur, in connection with Complaint Case No. 1777 of 2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

**(Sudhir Singh, J)**

