

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53068 of 2017

Arising Out of PS. Case No.-42 Year-2016 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Kundan Madeshia, Son of Late Sudama Madeshia, R/o Village- Sipahi
Tandwan, P.S.- Turkpatti, District- Kushi Nagar (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Tetari Devi, Wife of Kundan Madeshia, D/o Rama Sah, At present R/o
Village- Magahiya, P.S.- Kateya, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. SRI KUMAR VIRENDRA NARAYAN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in a case registered under Sections 498A, 307, 406/34 of the Indian Penal Code, but cognizance has been taken under Section 498A of the I.P.C. 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 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, 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 learned Sub Divisional Judicial Magistrate, Gopalganj in connection with T.R. No.2823 of 2017 arising out of Complaint case No.42 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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