

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50806 of 2017

Arising Out of PS.Case No. -14 Year- 2015 Thana -MAHILA PS District- DARBHANGA

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1. Kumar Niraj @ Niraj Kumar Jha @ Kumar Niraj Jha Son of Naresh Jha,
R/o Mohalla- New Bal Bhadrapur, Shivsagar, P.S.- Laheriasarai, District-
Darbhanga.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 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 323, 498(A)/34 of the Indian Penal Code
and 34 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
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 his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mahila P.S. Case No. 14 of 2015, 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., Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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