

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.61419 of 2017**

Arising Out of PS. Case No.-2686 Year-2014 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Nand Kishore Gupta son of Late Bhagwan Das, aged about 38 years, resident of Mohalla Panchu Kachahari Road, Hisua, P.S. Hisua, District Nawada

... .. Petitioner/s

Versus

1. The State Of Bihar through Cabinet Vigilance, Bihar at Patna  
2. Asha Gupta wife of Nanda Kishore Gupta, daughter of Sri Krishna Prasad, presently residing at village Baniyapatti Thakurbari, P.S. Town Motihari, District East Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv.  
For the Opposite Party/s : Mr. ASHOK KUMAR SINGH, APP

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

2      15-12-2017              Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A 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, 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 S.D.J.M., Sadar, Motihari (East Champaran) in connection with Trial No.1834 of 2017 arising out of Complaint case No. C-2686 of 2014, 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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