

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39817 of 2017

Arising Out of PS.Case No. -839 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Rajesh Mandal @ Rajesh Kumar Mandal S/o Mohanlal Mandal Resident
of Loha Patti, P.S. Gulabbag, P.S. Gulabbag, District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Suman Devi W/o Suraj Mandal, D/o Ajay Kumar resident of Lakhan
Niwas, Village- Nurpur, P.S. Nathnagar (Madhusudanpur) District-
Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh
For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No.839 of 2016 for the offence instituted
under Sections 498A 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 is triable by the Magistrate. The petitioner is Devar of the Complainant. He is separate in mess and property from the husband of the complainant. 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 Complaint Case.

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 Complaint Case No.839 of 2016 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., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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