

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37041 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Manish Kumar Sah, Son of Late Subash Chandra Sah, Resident of-
Keshari Chowk, Maheshkhunt, P.S.- Maheshkhunt, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar.
2. Minu Kumari, daughter of Kuldeep Sah, Resident of Village- Milki, P.S.-
Bihpur, District- Bhagalpur, Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

02 10-08-2017 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. 294 of 2016 for the offence instituted
under Sections 498(A)/323/406 of the Indian Penal Code and 3/4
of D.P. Act but Cognizance has been taken under Section 498A/34
of the Indian Penal Code and Section 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. 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 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. 294 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., Naugachhia, 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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