

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42868 of 2017

Arising Out of PS.Case No. -1883 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Madhusudan Sharma, Son of Birendra Sharma, Resident of Village- Panapur Langa Gadh Tola, P.S.- Sadar, District- Vaishali, at present quarter no G-22, Dum-dum Estate, P.S. Dum-dum District- Kolkatta, (West Bengal).

.... Petitioner

Versus

1. The State of Bihar.
2. Shalu Kumari, Wife of Madhusudan Sharma, presently residing with her Father Rajesh Kumar at Mohalla- Aamgola Lane No. 1, Parao Pokhar, P.S.- Kazimohammadpur, District- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 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. 1883 of 2016, Trial No.2490 of 2017 for the offence instituted under Section 498A of the Indian Penal Code and 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. He has falsely been



implicated in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. 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. 1883 of 2016, Trial No.2490 of 2017 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., East Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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