

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59958 of 2017

Arising Out of PS.Case No. -271 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Rakesh Kumar S/o Jagdish Bhagat, R/o Village- Baruraj Tola, Dakhie,
P.S.- Baruraj, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Rita Devi W/o Rakesh Kumar D/o Fakira Bhagat at present , R/o at Kutia
Hari Ram, P.S.- Mehsi, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Syed Firoz Raza

For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 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.

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
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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Mehsi P.S. Case No.271/2007, G.R.No. 5556/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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