

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49426 of 2017

Arising Out of PS. Case No.-216 Year-2017 Thana- CHANPATIA District- West Champaran

Sandeep Mahto son of Manager Mahto, resident of village Sabeya Charagaha,
Police Station Sirisiya O.P. District West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Punita Devi @ Sunita Devi daughter of Kapildeo Mahto, wife of Sandeep Mahto, resident of village Sabeya Charagaha, Police Station Sirisiya O.P., District West Champaran, at present residing at village Gad Sirisiya, Police Station Palanawa, District East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : DR. RABINDRA KUMAR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 307, 504, 498A and 120B of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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 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 F.I.R.

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 Additional Chief Judicial Magistrate-V, Bettiah, District West Champaran in connection with Chanpatia (Sirisiya O.P.) P.S. case No.216 of 2017, 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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