

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57588 of 2017

Arising Out of PS. Case No.-1069 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Birbal Saw Son of Jamun Saw Resident of Village - Kabutarkhopi, P.S. -
Bairiya, District - Sahebganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shatrughan Sao Son of Nepali Sao
3. Rani Kumari D/o Shatrughan Sao Both residents of village - Shahpur Turha
Toli, P.S. Shahpur, District - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Satish Chandra, Advocate
For the State	:	Mr. TAPESHWAR SHARMA, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 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, 420, 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture 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 case is triable by the Magistrate. 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 complaint case.

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 S.D.J.M., Danapur in connection with Complaint case No.1069C of 2016, 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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