

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26278 of 2017

Arising Out of PS. Case No.-63 Year-2016 Thana- MAHILA P.S. District- Saharsa

Chandan Swarnkar Son of Shyamdeo Swarnkar, Resident of Village-
Mohammadpur Bhavdeva, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lakshmi Devi, D/o Tapeswar Prasad Swarnkar, Resident of Village- Sour
Bazar, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the State	:	SMT. PRONATI SINGH, APP
For opposite party No.2	“	Mr. Pramod Mishra, Advocate Miss Monika, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-09-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 494, 313/34 of the Indian Penal
Code and $\frac{3}{4}$ 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 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 and learned counsel for the opposite party No.2, 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 J.M., Saharsa in connection with Mahila P.S. case No.63 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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