

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41899 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -MAHILA District- MUNGER

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1. Mahesh Das, Son of Late Gainu Das, resident of Village Baraichak,
Patam, P.O Patam, P.S. Naya Rama Nagar, District Munger.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Vinod Shankar Modi

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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 Mahila P.S. Case No.13/2017, G.R. No.980 of 2017 for the
offence instituted under Sections 498(A)/34 of the Indian Penal
Code and 3/4 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. 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. The petitioner is Devar of the informant. He is separate in mess and property from the husband of the informant. 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 his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mahila P.S. Case No.13/2017, G.R. No.980 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 A.C.J.M.-III, Munger, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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