

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49405 of 2017

Arising Out of PS. Case No.-156 Year-2017 Thana- BIHTA District- Patna

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Dinesh Kumar son of Mithil Rai, resident of village Pathlotiya, Police station
Bihta, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sandhya Kumari @ Chanda Kumari D/o Durga Rai, w/o Dinesh Kumar,
resident of vilalge Chhitnawa, P.S. Maner, District Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naushad Akhtar, Advocate

For the Opposite Party/s : Mr. ABHAY KUMAR – 1, APP

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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 Section 498A of the Indian Penal Code and ¾
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 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, Danapur, District Patna in connection with Bihta
P.S. case No.156 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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