

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10115 of 2018

Arising Out of PS. Case No.-229 Year-2017 Thana- SAHARSA District- Saharsa

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Vishal Kumar Chaupal S/o Krishna Kumar Chaupal , R/o Village- Sharma
Chowk Kahra Ward No. 24, P.S. & District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh
For the Opposite Party/s : Mr. AJEET KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 498A, 363, 365, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has eloped with one Ramesh Kumar. A criminal writ application has also been filed on behalf of the petitioner seeking a direction for the recovery of the victim along with the boy with whom she had eloped



which is evident from Annexure-4 to the present application. The victim is in habit of filing cases against the petitioner and his family members for similar offence. 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/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 Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 229 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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