

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10634 of 2018

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Vimal Kumar, aged about 40 years, S/O Sri Ram Laxhan Prasad, R/O- Flat No. 22, Ashianya Ranjan Apartment, Kidwaipuri, P.S. Budha Colony, District-Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Shailee Sinha, aged about 36 years, W/O Vimla Kumar, D/O Mahesh Kumar Sinha, R/O- Flat No. 203, 2nd Floor, Pankaj Reblon, Arya Samaj Mandir, Road No. 6, R.P.S. More, Danapur, Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Neerad Parashar, Advocate.

For the State : Smt. Asha Kumari, A.P.P.

For the O.P. No. 2 : Mr. Binoy Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A), 420 and 406/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-Vth, Danapur, in connection with Complaint Case No. 577 (C) of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

