

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25298 of 2018

Arising Out of PS.Case No. -442 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Rajan Thakur, son of Ashok Thakur, resident of Village- Piprapati, Police Station- Yogapatti, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Niki Devi @ Dhanya Devi, Daughter of Manager Mishra and wife of Rajan Thakur, resident of Village- Piprapatti, Police Station- Yogapatti, District- West Champaran and Presently residing at Village- Jokahan, Police Station- Bettiah Mufasil (Maunapul), District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 Counsel for the petitioner is permitted to make necessary correction in paragraph-3 of the main petition in course of the day.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel, appearing for the opposite party No. 2 .

The petitioner is apprehending his arrest in a case registered under Sections-, 406, 494, 498A of the Indian Penal Code and Section-4 of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses 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 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 Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Trial No. 2674 of 2017 arising out of Complaint Case No. 442 C of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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