

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30896 of 2018**

Arising Out of PS. Case No.-1031 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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Birendar Lal son of Jawahar Lal, resident of village Ramjeetpur, Police Station Khanpur, District Samastipur

... .. Petitioner/s

Versus

1. State Of Bihar  
2. Madhuri Devi wife of Birendar Lal, resident of village Ramjeetpur, Police Station Khanpur, District Samastipur, presently resided with c/o Srawan Lal, resident of Baheri, Police Station Baheri, District Darbhanga

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Choudhary Shyam Nandan  
For the Opposite Party/s : Smt. Sahin Begam

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     18-05-2018            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/34 of the Indian Penal Code and  $\frac{3}{4}$  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 complaint case.

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, Samastipur in connection with Complaint case No.1031 of 2017, T.R. No.2818 of 2018, 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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