

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49029 of 2018

Arising Out of PS.Case No. -360 Year- 2018 Thana -KATIHAR District- KATIHAR

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Nitendra Kumar Sinha @ Nitendra Kumar, Son of Late Dinendra Narayan Sinha, resident of Village- Singhia, Diwanganj, P.S.- Muffasil, District- Purnea.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 494, 376, 323, 506, 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioner that the petitioner has got no 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. There is no medical examination report to support the allegation for the offence under Section-376 of the



Indian Penal Code. Rest of the offences are 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, Katihar in connection with Katihar Town P.S. Case No. 360 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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