

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47706 of 2018

Arising Out of PS. Case No.-3177 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Shyam Babu Bhagat, S/o Late Mishri Lal Bhagat, Resident of Village-
Daudpur, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anjali Devi, W/o Shyam Babu Bhagat, Resident of Village- Daudpur, P.S.-
Shahpur, District- Patna, at present Mohalla- Beur, P.S.- Beur Town &
District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A 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/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 Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 3177 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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