

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56473 of 2018

Arising Out of PS. Case No.-521 Year-2017 Thana- COMPLAINT CASE District- Banka

Manoj Yadav son of Bhumeswar Yadav, resident of Barwasani, P.S. Katoria,
District Banka

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rina Devi wife of Manoj Yadav, resident of village Barwasani, P.S.
Katoria, District Banka, at present address daughter of late Sargun Yadav,
resident of village Barmahua, P.S. and District Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 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 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. On the earlier occasion
also the victim had instituted a case for similar offence against



the petitioner and his family members. 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, Banka in connection with Complaint case No.521 of 2017, 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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