

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63784 of 2018

Arising Out of PS. Case No.-241 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Saroj Patel son of Nageshwar Patel, resident of village Dharhari, P.S. Chouradano, Distt. East Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Vinita Devi wife of Saroj Patel, daughter of Yadav Lal Patel, at present residing at Sripur Tola Belbari, P.S. Chouradano, Dist. East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma
For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 341, 504, 379, 307, 498A of the Indian Penal Code and ¾ of Dowry Prohibition Act, but cognizance has been taken under Sections 323, 498A of the I.P.C. and ¾ 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 S.D.J.M., Raxaul at Motihari in connection with TR No.2461 of 2018 arising out of C.R. No.241 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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