

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71723 of 2018

Arising Out of PS. Case No.-255 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Kunal Singh @ Kunal Kumar S/o Saligram Singh, R/o Mohalla Patgelnagar,
Ward No. 23, P.S. Daudngar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Anita Singh, W/o Kunal Singh @ Kunal Kumar, D/o Sri Krishna Singh, resident of Village- Rasulpur, P.S. Banjari, District- Rohtas at Sasaram.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case initially registered under Sections 498A, 323, 341, 406, 494, 504, 506 of the Indian Penal Code but the cognizance was taken u/S 498 of the IPC only.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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 complainant had lodged a police case 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/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 Sub Divisional Judicial Magistrate, Dehri, District-Rohtas at Sasaram in connection with Complaint Case No. 255 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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