

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73015 of 2018

Arising Out of PS. Case No.-884 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Mukesh Kumar, Son of Vijay Choudhary, Residence of MIG Sector Kankarbagh, Patna, Sector-7, Block-4, Flat No.38, Boot Nath Road, Patna, Police Station- Agam Kuan, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nirmala Devi, Wife of Mukesh Kumar, Daughter of Sri Sagar Mahtha, Residence of MIG Sector Kankarbagh, Patna, Sector-7, Block-4, Flat No.38, Boot Nath Road, Patna, Police Station- Agam Kuan, District- Patna, at present residing at Mohalla- Rajendra Nagar, Police Station- Nawada, District- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 379, 406, 147, 149 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-fulfillment 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., Nawada in connection with Complaint Case No. 884 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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