

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72555 of 2018

Arising Out of PS. Case No.-223 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Shiv Shankar Kumar @ Shiv Shanakr Kumar, S/o Gauri Chaudhary, Resident
of village-Sabnima, P.S. Athmalgola, District-Patna.

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap
For the Opposite Party/s : Mr. Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 498A of the Indian Penal Code
and 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 Sub Divisional
Judicial Magistrate, Barh, Patna in connection with Complaint
Case No. 223 © 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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