

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8756 of 2018

Arising Out of PS. Case No.-2072 Year-2014 Thana- COMPLAINT CASE District- Banka

Lakhan Kumar Das S/o Doman Das Resident of Village- Kulhariya, P.O.
Sudihari, Police Station- Amarpur, District Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nirmala Devi @ Archana Devi W/o Lakhan Kr. Das, D/o Bharat Lal Harijan
Resident of Village- Chilkawar, P.O. Manjhauni, P.S. Rajoun, Distt. Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : SMT. SAHIN BEGAM

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case in
which cognizance has been taken under Section 498A, 323 and
494 of the Indian Penal Code.

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 Addl. Chief Judicial Magistrate-II, Banka in connection with Complaint Case No. 2072 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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