

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20133 of 2018

Arising Out of PS. Case No.-1968 Year-2016 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Hemant Kumar Son of Ram Ishwar Sah@ Rameshwar Sah Resident of
Village- Satanpur, P.S.. Vjiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Soni Kumari W/o Hemant Kumar Resident of Village- Satanpur, P.S..
Vjiyarpur, District- Samastipur, At Present resident of Mohalla- Brahampura
Sangam chowk, Ward No. 01 , P.O. M.I.T. P.S. Barampura, District-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha
For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 Counsel for the petitioner is permitted to make

necessary correction in paragraph 1 of the application in course

of the day.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered under Section 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-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., East, Muzaffarpur in connection with Complaint Case No. 1968/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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