

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5264 of 2018

Arising Out of PS. Case No.-197 Year-2015 Thana- MALSALAMI District- Patna

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Ramesh Prasad Arya, Son of Laxmi Narayan Sah, Resident of Mohalla-Nand Gola, Police Station-Malsalami, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aanshu Mala, wife of Ramesh Pd. Arya, resident of Mohalla Nand Gola,
P.S.- Malsalami, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. RAM SEVAK CHOUDHARY

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-03-2018 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 registered under Section 498A 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 A.C.J.M. IV, Patna in connection with Malsalami P.S. Case No. 197 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, the O.P. No. 2 may approach the Family Court of competent jurisdiction for the redressal of her grievances, if any.

(Sudhir Singh, J)

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