

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2485 of 2018

Arising Out of PS.Case No. -1812 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Vinay Patwa, Son of Lal Patwa @ Binda Lal Prasad, resident of Village- Naya Bazar Chowk, Ward No. 20, Police Station- Bettia Town, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Munni Devi, Wife of Vinay Patwa, resident of Village- Naya Bazar Chowk, Ward No. 20, Police Station- Bettia Town, District- West Champaran, at present daughter of Lal Babu Patwa, resident of Village- Sugauli Ward No. 17, Police Station- Sugauli, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in a case instituted under Section 498A of the Indian Penal Code and 3/4 of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present



case. The victim is in habit of instituting similar cases against the petitioner. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted that the petitioner is named in the Complaint.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Tr. No.1888 of 2017, arising out of Complaint Case No. C1812 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar at Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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