

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18536 of 2018

Arising Out of PS. Case No.-689 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Manoj Sah, Son of Shivpujan Sah, Resident of village- Sareya, (Madhu Sareya), Police Station- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Basanti Devi, Wife of Manoj Sah, Resident of Village- Sarega (Madhu Sareya), Police Station- Manjhagarh, District- Gopalganj, at present daughter of Ramdhyan Sah, Resident of Village- Surwaniya, Police Station- Manjhagarh, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. TARKESHWAR NATH THAKUR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A and 323 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 Judicial Magistrate, 1st Class, Gopalganj in connection with C. Case No. 689/2017 (Trial No. 859/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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