

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9169 of 2018

Arising Out of PS. Case No.-128 Year-2016 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Deepak Kumar, S/o Satyanarayan Thakur, R/o Om Nagar, Damodarpur, P.S.
Kanti, District Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Swati Kumari, W/o Deepak Kumar, D/o Ram Kumar Shahi, Resident of
Village- Shyampur Bhoja, P.S. Kanti, District- Muzaffarpur, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajit Kumar, Advocate
For the State	:	Mr. RAJENDRA PRASAD NAT, APP
For opposite party No.2	:	Mr. Alok Kumar Alok, Advocate

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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
registered under Section 498A/34 of the Indian Penal Code and
¾ 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the 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. West, Muzaffarpur in connection with Kanti P.S. case No.128 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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