

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12873 of 2018

Arising Out of PS. Case No.-47 Year-2017 Thana- MAHILA P.S. District- Nawada

Sh. Amit Kumar, aged about 27 years, Son of Sh. Shambunath Prasad,
Resident of Raja Bazar Jatni, P.S.- Jatni, District- Khordha (Odisha).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Simran Kumari, aged 21 years, W/o Amit Kumar, Resident of Prasad Bigha
Main Road, P.S.- Nawada, District- Nawada (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar

For the Opposite Party/s : Mr. SATYENDRA PRASAD

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-03-2018 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 Sections 498A, 354, 307, 379, 504/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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. There is no medical examination report to support for making out an offence under Section 307 of the



I.P.C. Rest of the offences are 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 C.J.M., East at Nawada in connection with Nawada Mahila P.S. case No.47 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, the opposite party No.2 will be at liberty to approach to the competent court/authority for redressal of his grievance, if any.

Narendra/-

(Sudhir Singh, J)

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