

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5557 of 2018

Arising Out of PS. Case No.-1391 Year-2016 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

Rakesh Kumar @ Rakesh, S/o Ram Binay Sah Resident of Village-
Basantpur, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi, W/o Rakesh Kumar @ D/o Rajkumar Sah, At present Resident
of Village- Nayagaon, P.S. & P.O.- Aurai, District- Muzaffarpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. RABINDRA KUMAR

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-02-2018 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 in
which cognizance has been taken under Section 498A of the
Indian Penal Code and Section 4 of the 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, 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 S.D.J.M., (East), Muzaffarpur in connection with Complaint Case No. 1391/2016 (corresponding to Tr. No. 2536/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

