

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11112 of 2018

Arising Out of PS. Case No.-139 Year-2017 Thana- CHANPATIA District- West Champaran

Akhilesh Yadav, s/o- Chandradeo Yadav, r/o- village Dubwalia Kumar Bag,
P.S.- Chanpatia, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Asha Devi, wife of Akhilesh Yadav, and D/o- Dinanath Yadav, r/o- village
Dubwalia P.S.- Champatia, District- West Champaran, presently resident of
village Chanpatia, near Shyam Talkies, Dhath Chouk, Ward No. 2, P.S.-
Chanpatia, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma
For the Opposite Party/s : Mr. AKHILESHWAR DAYAL

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code and ³/₄
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, 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., Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 139 of 2017 (Tr. No. 1272 of 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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