

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5152 of 2018

Arising Out of PS. Case No.-6 Year-2016 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Ashish Kumar @ Ashish Sharma, Son of Nawal Sharma, Resident of Village-
Raj Kharsa, P.S.- Mehendiya, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari, W/o Ashish Kumar @ Ashish Sharma, D/o Ashok Kumar, Resident of Village- Raj Kharsa, P.S.- Mehendiya, District- Arwal. presently residing at Village Shamsher Nagar, P.S.- Daud Nagar, District- Aurangabad (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar
For the Opposite Party/s : Mr. NAGENDRA PRASAD

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323 and 494/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

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 O.P. No. 2 is in habit of instituting case of similar nature against



the petitioner and his family members in which the petitioner has already been granted bail. 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.*

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 Sri Madhwendra Singh, learned SDJM, Arwal in connection with Complaint Case No. 06 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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