

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6655 of 2018

Arising Out of PS. Case No.-133 Year-2017 Thana- SIDHWALIA District- Gopalganj

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Dharmendra Kumar, Son of Bhulan Sahni, Resident of Village- Jagdishpur,
P.S. Maharajganj, District- Siwan.

... .. Petitioner

Versus

1. The State of Bihar.
2. Punita Devi, Wife of Dharmendra Kumar, Daughter of Lallan Sahani,
Resident of Village- Salempur, P.S. Sidhwalia, District- Gopalganj.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni
For the Opposite Party/s : Mr. RAM BILASH ROY RAMAN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2018 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, 379, 34 of the Indian Penal Code and Section 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 Assistant Chief Judicial Magistrate, 6th Gopalganj in connection with Sidhwalia P.S. Case No. 133 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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