

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24872 of 2018

Arising Out of PS. Case No.-1111 Year-2011 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Upendra Kumar Singh @ Upendra Singh Son of Heera Lal Singh Resident of
Village-Sapahi, P.S.-Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Neha Devi Wife of Upendra Kumar Singh Daughter of Rajdeo Prasad
kushwaha Resident of Village-Shekhpurwa Bazar, P.S.-Pakarideyal District-
East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 379, 504 and 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act but in which cognizance has been taken under section 498A IPC. .

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., Sadar East Champaran at Motihari in connection with Trial No. 415/2017 (arising out of Complaint Case No. C-1111/2011), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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