

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26371 of 2018

Arising Out of PS. Case No.-1148 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Birbal Prasad son of Jagdish Prasad, resident of village Kuesha Khurd, P.S.
Kateya, District Gopalganj

... .. Petitioner/s

Versus

1. State Of Bihar
2. Madhuri Devi wife of Birbal Prasad, presently resident of Natain, P.S. and
District Deoriya (Uttar Pradesh)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal
For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

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.

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 Additional Chief
Judicial Magistrate XV, Gopalganj in connection with
Complaint case No.1148 of 2017, Tr. No.2541 of 2017, subject
to the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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