

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26966 of 2018

Arising Out of PS. Case No.-563 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Budhan Rajak, Son of Hiralal Rajak, Resident of Village-Mohadipur, P.S. Bath, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Savitri Devi D/o Babulal Paswan, Wife of Budhan Rajak, Resident of Village-Nirpur, P.O. Madhusudanpur, P.S.Madhusudanpur, District-Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 498A, 504 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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. There is no medical examination report in support of the allegations in respect of offence under Section 307 of the I.P.C. Rest of the offences are 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 S.D.J.M., Bhagalpur in connection with Complaint case No.563 of 2016, 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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