

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35198 of 2018

Arising Out of PS. Case No.-7 Year-2017 Thana- MAHILA P.S District- Supaul

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Sunil Kumar, S/o Vinod Kamat, Resident of Village- Supaul, Ward No. 19,
P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi, w/o Vinod Kamat, Resident of Village- Ward No. 19, Bhelahi,
Nagar Parisad, Supaul, P.S. + District- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-07-2018 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, 494, 323, 341, 448, 307, 504,
506 and 34 of the Indian Penal Code.

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 is the step son of the informant. He has
falsely been implicated in the present case due to petty family



dispute. As per the injury report, the nature of injury is said to be simple. Hence, no offence under Section 307IPC is made out. 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/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 Chief Judicial Magistrate, Supaul in connection with Supaul Mahila P.S. Case No. 7/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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