

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38416 of 2018

Arising Out of PS. Case No.-948 Year-2015 Thana- PATNA COMPLAINT CASE District-
Patna

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Bhushan Yadav, Son of Late Amirak Yadav, Resident of Village- Malpur, P.S.-
Ghoswari, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi, Wife of Bhushan Yadav, Resident of Village- Malpur, P.S.-
Ghoswari, District- Patna, at present address- Daughter of Ram Suchit Yadav,
Resident of Village- Manpur, P.S.- Vena, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap
For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A and 323 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/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 A.C.J.M. Barh, Patna in connection with Complaint Case No. 948(C)/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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