IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55249 of 2017

Arising Out of PS.Case No. -3171 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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1. Bablu Pandit S/o Ramchandra Pandit, R/o Village- Harda Bazar, p.S.- Maranga (K. Hat), District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Sangita Devi W/o Bablu Pandit, D/o Devarayan Pandit, R/o Village- Urlaha, P.S.- Palasi, District- Araria.

.... Opposite Parties

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Appearance :
For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-01-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel appearing on behalf of the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Sections 498A and 384 of the Indian Penal Code but cognizance has been taken only under Section 498(A) of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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

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tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182***.

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.3171C/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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