

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38886 of 2018

Arising Out of PS.Case No. -201 Year- 2018 Thana -BANKA District- BANKA

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1. Sumit Kr. Sah S/o Sri Naval Kishore Sah, R/o Mohalla- Shivaji Chowk
Karhariya Road, Ward No. 4, P.S. and District- Banaka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. karshima Devi D/o Sri Sunil Prasad Sah, R/o Mohalla Jain Mandir Lane
Kamala Nagar Colony, P.S.- Nath Nagar, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Prasad, Adv AOR No. 2725
Mrs. Veena Kumari Jaiswal
For the State : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 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, 307/34 of the Indian Penal Code and 3/4 of
Dowry Prohibition Act.

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



respect of offence under Section-307 of the Indian Penal Code. 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, Banka in connection with Banka P.S. Case No. 201 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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