IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40447 of 2018

Arising Out of PS.Case No. -696 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

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Rajesh Tanti @ Rajesh Kumar Tanti, Son of Anik Tanti, Resident of village- Shivnagar, P.S.- Halsi, District- Lakhisarai at present Village- Nawkadih, P.S.- Laxmipur District- Jamui.

.... Petitioner

Versus

1. The State of Bihar.
2. Sunita Kumari, D/o Late Surendra Tanti and Wife of Rajesh Kumar Tanti, Resident of Village- Mahendpur, P.S.- Sikandra, District- Jamui.

.... Opposite Parties

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Appearance :
For the Petitioner : Mr. Kartik Kumar Sinha, Advocate.
For the State : Mr. Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2018 A supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on the record.

Learned counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail application in light of the submission made in the supplementary affidavit, in course of the day.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323, 498(A) of the IPC and ¾ of the D. P. Act.

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The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The complainant and her family members are in habit of instituting cases against the petitioner and his family members for similar offence. The case is triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Jamui in

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connection with Complaint Case No. 696 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./- **(Sudhir Singh, J)**

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