

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54 of 2018

Arising Out of PS. Case No.-446 Year-2017 Thana- MOHANIA District- Bhabhua (Kaimur)

Shyam Sunder Tiwary, Son of Jamuna Tiwary, Resident of Village-
Sadullahpur, P.S. Ramgarh, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roshanawati Devi, Wife of Shyam Sunder Tiwary, Resident of Village and
Post & P.S.-Mohania, District-Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg

For the Opposite Party/s : Mr. GAURI SHANKAR GUPTA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 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, 354(A)(2)/34 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 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 victim is in habit of instituting similar cases against the petitioner. 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 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, Kaimur at Bhabua in connection with Mohania P.S. case No.446 of 2017 (G.R. No.1901 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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