

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.613 of 2018

Arising Out of PS.Case No. -129 Year- 2017 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Jitendra Kumar Mishra, Son of Late Surendra Mohan Mishra, resident
of Vill. + P.S.- Gogri, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar.
2. Chitra Mishra, D/o Jawahar Lal Mishra, 171 Madhu Sri Colony, P.S.-
Barai, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case
instituted under Sections 323, 498(A)/34, 494 of the Indian Penal
Code and 3/4 of D.P. Act.

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
there is no allegation of 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.129(C)/2017 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., Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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