

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48557 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- RUPASPUR District- Patna

Niraj Kumar @ Munna Kumar S/o Binod Prashad Singh, R/o village Masaurhi Kali Mandir, P.S. Masaurhi, Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Mohan Tripathi
For the Opposite Party/s : Mr. Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 325, 504, 506, 315, 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

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. On the earlier occasion also, the victim had instituted a case for similar offence against the petitioner and his family members. Except for offence under Section 315 of I.P.C, 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 A.C.J.M. II, Danapur, Patna in connection with Rapuspur P.S. case No.222 of 2018, 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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