

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51041 of 2018**

Arising Out of PS.Case No. -9977 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District -  
MADHUBANI

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1. Raj Kumar Mahto S/o Sri Dularchandra Mahto resident of Village -  
Mailam, P.O. Mailam, P.S. - Andhratharhi, District - Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Niro Devi W/o Raj Kumar Mahto resident of Village - Mailam, P.O.  
Mailam, P.S. - Andhratharhi, District - Madhubani.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-08-2018      Heard learned counsel for the petitioner and learned APP for  
the State.

The petitioner is apprehending his arrest in a case registered  
under Sections 323, 379, 498A, 384, 504/34 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. 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 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 Sri R. K. Rajak, learned Judicial Magistrate-Ist, Benipatti, Madhubani in connection with C.R. Case No. 9977 of 2014 (1537/2014), 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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