

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66364 of 2018

Arising Out of PS. Case No.-141 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Abhinash Kumar, Son of Sri Umashanker Poddar, Resident of Village- Birsingpur, Police Station- Kalyanpur, District- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Rita Devi, Wife of Avinash Kumar, Resident of Village- Birsingpur, Police Station- Kalyanpur, District- Samastipur. At present Smt. Rita Devi Daughter of Vinod Poddar, Resident of Village- Purani Bhirha, P.S.- Rosera, Distt.- Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Pramod Kumar Singh, Advocate.
For the State	:	Mr. Indra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 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 Section 498(A) of the IPC.

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 got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioner. The petitioner has falsely been implicated
in the present case due to petty family dispute. The petitioner is



the husband of the victim. 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 J.M. Ist Class, Rosera, Samastipur, in connection with Complaint Case No. 141 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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