

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.71055 of 2018**

Arising Out of PS. Case No.-293 Year-2018 Thana- MAHESI District- East Champaran

Chandan Kumar Son of Baidhnath Sah Resident of Village-  
Damodarpurn, Police Station-Mehsi, Distt.-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Menika Kumari Wife of Chandan Kumar, D/o Prabhu Prasad Gupta At  
present R/o Village-Banjari Bazar, P.O.-Madawan, P.S. Kanti, Distt.-  
Muzaffarpur

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhurendra Kumar  
For the Opposite Party/s : Mr. Md. Fahimuddin

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

2      30-11-2018              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, 341, 498A, 494, 504 and 506/34  
of the Indian Penal Code.

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 learned A.C.J.M. -VI, East Champaran at Motihari, in connection with Mehsi P.S. Case No. 293 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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