

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75420 of 2018

Arising Out of PS. Case No.-381 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Jasvinder Singh Yadav @ Vikash, Son of Late Vijay Kumar Singh Yadav,
Resident of Village-Sikariya, Block-Agiaon, P.S.-Garhani, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Soni Kumari, Wife of Jasvinder Singh Yadav @ Vikash, Daughter of Sri Sanjivan Prasad Yadav, Resident of Village-Dalelganj, P.S.-Sandesh, District-Bhojpur. At Present resident of Ranipur Khirki, Patna City, P.S.-Mehandiganj, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 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, 313, 376, 511, 120B of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Section 498A of the I.P.C. 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 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 has been found true for offence under Section 498A of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act. 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 S.D.J.M.-I at Patna City in connection with Complaint case No.381 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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