

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2021 of 2018

Arising Out of PS. Case No.-1622 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Nitish Kumar @ Kumar Nitish, Son of Raghunath Prasad, Resident of L.I.G. Rental Flat No.386 Near Kiran Nursing Home Kankarbagh, P.S.- Kankarbagh, District Patna- 800020.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bharti Sinha, Wife of Nitish Kumar, Daughter of Anil Kumar Sinha, Resident of Mohalla- Adarsh Nagar, Phulwari Sharif, P.S.- Phulwari Sharif, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar
For the Opposite Party/s : Mr. PARMESHWAR MEHTA

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code.

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 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.

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 Smt. Smita Raj, learned Judicial
Magistrate, 1st class, Patna in connection with Complaint case
No.1622C of 2016, 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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