

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50341 of 2018

Arising Out of PS.Case No. -204 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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Arun Panjiyar S/o Ram Naresh Panjiya, Resident of Village- Supaina, P.S.
Bathanaha, District- Sitamarhi. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 498A, 363/34 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 is also alleged that the other accused persons had kept her husband hidden with the purpose of solemnization of his marriage with other girl.

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. So far offence u/S 363 of the Indian Penal Code is concerned, a separate case was instituted by father of the petitioner. The statement of the petitioner was recorded u/S 164 Cr.P.C. in the aforesaid case,



where he has denied his abduction. The statement of the petitioner, recorded u/S 164 Cr.P.C. is Annexure-2 to the present application. Hence no case of abduction is made out in the present case in the light of Annexure-2 to the application. All offences are triable by 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 Chief Judicial Magistrate, Sitamarhi in connection with Bathanaha P.S. Case No. 204 of 2017, 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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