

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.97 of 2018**

Arising Out of PS.Case No. -235 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT District-  
EASTCHAMPARAN(MOTIHARI)

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1. Chandan Kumar, S/o Surendra Prasad @ Dhuman Prasad, R/o Vill.-  
Shitalpur, Tola Rajapatti, P.O. Shitalpur, P.S. Chakia, District- East  
Champaran.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Preeti Kumari, W/o Chandan Kumar, D/o Umesh Prasad, Resident of  
Village- Majhar Tola, Pandubi, P.O. Majhar, P.S. Pakaridayal, District- East  
Champaran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Bal Govind Sharma

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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

2      05-01-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case  
instituted under Section 498A of the Indian Penal Code and 3/4 of  
D.P. Act.

The allegation against the petitioner is of committing  
torture upon the victim due to non-fulfillment of the 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. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of *Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182*.

On behalf of the State, it has been submitted that the petitioner is named in the Complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Tr. No. 581/2017, arising out of Complaint Case No.235c of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1<sup>st</sup> Class, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Amit/-

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