

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7909 of 2018

Arising Out of PS.Case No. -523 Year- 2017 Thana -MOTIHARI MUFAJIL District-
EASTCHAMPARAN(MOTIHARI)

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Prashant Kumar @ Raja Babu, S/o Ajay Prasad, R/o Village- Pataura Lal
Tola, P.S.- Motihari Muffasil, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon, Advocate.

For the Opposite Party : Mr. Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 342, 307, 498(A), 504
and 506/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case due to petty family dispute. As per the medical examination report of the victim the nature of injury is said to be simple. The injury is not on the vital part of the body of the victim. Hence, no offence under Section 307 of the IPC is made out. The petitioner has further 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 learned counsels for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Motihari, East Champaran, in connection with Motihari Muffasil P.S. Case No. 523 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

