

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51051 of 2018

Arising Out of PS.Case No. -1739 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Binit Kumar @ Bam Kumar @ Bam Son of Gopal Mahto resident of Village - Chini Mill Gate Block Road Chanpatia (Tikuliya) Chand, P.S. Chanpatiya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jyoti Devi Wife of Binit Kumar @ Bam Kumar @ Bam, D/o Late Shankar Prasad Mahto resident of Village - Chini Mill Gate Block Road Chanpatia (Tikuliya) Chand, P.S. Chanpatiya, District - West Champaran.
At the present Address : D/o Late Shankar Prasad Mahto.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-08-2018 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, 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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/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 Judicial Magistrate-Ist Class, Bettiah in connection with Complaint Case No. 1739C of 2016, Trial No. 3513 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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