

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72209 of 2018

Arising Out of PS. Case No.-25 Year-2017 Thana- MAHILA PS District- Aurangabad

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Vivek Kumar @ Jwala @ Vivek Kumar Yadav, Son of Sirwan Yadav,
Resident of Village-Nanhu Bigha, P.S. Haspura, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Munni Devi @ Manju Devi, Wife of Vivek Kumar @ Jwala @ Vivek Kumar Yadav, Daughter of Shadhu Yadav, Resident of Village-Nag Bigha, P.S. Nagar, District-Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Opposite Party/s : Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 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/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 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 Chief Judicial Magistrate, Aurangabad in connection with Mahila P.S. Case No. 25 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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