

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12293 of 2018

Arising Out of PS. Case No.-545 Year-2017 Thana- MOHANIA District- Bhabhua (Kaimur)

Chandra Bhushan Tiwary S/o Ganga Sagar Tiwary, R/o Village- Majhari, P.S.-
Mohaniya, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kanhaiya Pandey
For the Opposite Party/s	:	Mr. PARMESHWAR MEHTA
For the informant	:	Mr. Kumar Sunil

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 494, 323, 307, 504 and 506 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment 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. There is no medical



report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. Rest of the offences are trial 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, Kaimur at Bhabua in connection with Mohaniya P.S. Case No. 545 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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