

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.1560 of 2018**

Arising Out of PS.Case No. -13 Year- 2017 Thana -ARWAL MAHILA District- JEHANABAD

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Upendra Das son of Baudh Narayan Das resident of village Jaipur, P.S. Mahendia, District Arwal.

.... .... Petitioner

Versus

1. Gayatri Devi wife of Upendra Das presently resides at village Kudrasi P.S. Rampur Chauram District Arwal.
2. The State of Bihar.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Paras Nath, Advocate.

For the State : Mr. Mustaque Alam, A.P.P.

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

ORAL ORDER

2      16-01-2018                      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 498(A) and 494/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment 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. The case is triable by the Magistrate. 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 counsel 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 S.D.J.M., Arwal, in connection with Arwal (Mahila) P.S. Case No. 13 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)**

