

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25355 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Munish S/o Md. Hasim @ Md. Haseeb, R/o Vill.- Laat Khari, P.S.-
Sikty, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered
under Sections-498A, 494/34 of the Indian Penal Code and ¾ 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 there is
no allegation of tampering of witnesses alleged against the
petitioner. On the earlier occasion also, the victim and her family
members had instituted a case against the petitioner and his family
members for the similar offence. 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 Sub Divisional Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 3 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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