

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22726 of 2018

Arising Out of PS. Case No.-8 Year-2005 Thana- NAWADAH COMPLAINT CASE District-
Nawada

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Mithu Manjhi Son of Sri Sanjeevan Manjhi Resident of Village-Eknar, P.S.
Hisua, District-Nawada. Petitioner/s

Versus

The State of Bihar. Rubi Devi Wife of Mithu Manjhi Resident of Village-
Eknar, P.S. Hisua, District-Nawada. Presently residing With Second Husband
namely Mantu Manjhi, Son of Baishakhi Manjhi Resident of Village-Gangta
P.O. Nemdarganj P.S. Akbarpur District Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar
For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 306, 498A, 120B, 504 and 379 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act but cognizance has been taken under section 498A of the Indian Penal Code and Section 4 of D.P. 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. 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 S.D.J.M., Nawada in connection with Complaint Case No. 08/2005, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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