

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11276 of 2018

Arising Out of PS. Case No.-269 Year-2017 Thana- MADHUBAN District- East Champaran

Chandan Kumar Prasad @ Chandan Kumar. Son of Raj Kishore Prasad,
Resident of Village- Buddhimanpur, P.S.- Devariya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Gita Devi, Wife of Chadan Kumar Prasad, resident of Village-
Budhmanpur, P.S.- Devariya, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Advocate
Mrs. Rashmi Jha, Advocate
For the Opposite Party/s : Mr. SATYENDRA PRASAD, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 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, 341, 323, 379, 377/34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture 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. Police has submitted charge sheet under



Section 498A of the I.P.C. and $\frac{3}{4}$ of Dowry Prohibition Act. 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 4th Additional Chief Judicial Magistrate at Motihari, East Champaran in connection with Madhuban P.S. case No.269 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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