

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10543 of 2018

Arising Out of PS. Case No.-1182 Year-2011 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Jitendra Prasad @ Jitendra Patel son of Dhanai Patel, resident of village
Jhauwa Tola Pakhnaha, P.O. Suryapur, Police Station Shrinagar, District West
Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Hari Narayan Prasad son of late Gopal Prasad, resident of village
Shastrinagar, Police Station Bagaha, District West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. PANCHANAND PANDIT

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

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. 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.

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, Bagaha, District West Champaran in connection
with Trial No.1874 of 2017 arising out of Complaint case
No.1182C of 2011, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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