

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17679 of 2018

Arising Out of PS. Case No.-396 Year-2014 Thana- GOPALGANJ TOWN District-
Gopalganj

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Nawal Kishore Dubey, Son of Late Radha Dubey, Resident of Village-
Shivrajpur, Police Station- Nautan, District- Bettiah (West Champaran).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Tiwari, Daughter of Sant Tiwari, Resident of Village- Par Nawada,
Police Station- Gopalganj, District- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. RAJESH KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 493, 498A, 366, 375, 486, 120B of the
Indian Penal Code.

Allegation against the petitioner is of committing
torture upon the victim due to non-fulfilment of demand of
dowry. There is further allegation of allurement by the
petitioner.

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. Except for being a second husband of the victim, there is no other substantive evidence to implicate the petitioner in the present case. 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 F.I.R. On a false assurance, he had taken the victim to Ludhiana where the victim was compelled for flesh trade by the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Prayer is rejected.

(Sudhir Singh, J)

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