

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26341 of 2018

Arising Out of PS. Case No.-99 Year-2017 Thana- MAHILA PS District- Darbhanga

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Tarkeshwar Thakur Son of Rajendra Thakur Resident of Village + P.O.
Kamtaul, P.S. Kamtaul, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Chunchun Kumari D/o Ram Agya Thakur, W/o Tarkeshwar Thakur Resident of Village + P.O. + P.S. Kamtaul, District - Darbhanga. At present residing in Village - Brahampur, P.O. Brahampur, Sofiya Pin Code 847307, P.S. Kamtaul, District Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-04-2018 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, 323, 504, 506, 354, 354(A), 354(B), 376 and 511 of the Indian Penal Code.

Allegation against the accused persons including the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry. It is also alleged that the petitioner tried to misbehave with her.

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. No offence under under Section 376 of the I.P.C. is made out from bare perusal of the F.I.R. Rest of the offences are 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 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., Darbhanga in connection with Darbhanga Mahila P.S. case No.99 of 2017, 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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