

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31042 of 2018

Arising Out of PS.Case No. -84 Year- 2017 Thana -KHAJAULI District- MADHUBANI

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Shyam Kumar Singh @ Shyam Singh, Son of Sampait Mahto, Resident of
Village- Sukki Ward No. 10, P.S.- Khajauli, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. Geeta Devi, Wife of Shyam Singh, Resident of Village- Sukki Ward No. 10, P.S.- Khajauli, District- Madhubani. At Present daughter of Jhari Singh Resident of Village- Ganatol, P.S. Kaluahi, District- Madhubani.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.
For the State : Mr. Shailendra Kumar -2, A.P.P.
For the O.P. No. 2 : Mr. Subhash Kumar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 323, 498(A), 379 and 504 of
the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There



is no allegation of tampering with the 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned A.C.J.M.-III, Madhubani, in connection with Khajauli P.S. Case No. 84 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)