

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42546 of 2018

Arising Out of PS. Case No.-1932 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

=====

Raju Prasad Shah @ Raju Prasad Sah S/o Ramashankar Prasad @ Gaurishankar Sah resident of Village- Rajpur Bazar, P.S.- Kesaria, District- East Champaran. Presently B.K.S Colony, Road No. 12 Near Ara Machine, Post Arodrum, Civil, P.S.- Magadh Medical College and Hospital, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi, W/o- Raju Prasad Sah, R/o- Rajpur Bazar, P.S.- Kesaria, District- East Champaran At present D/o Dhruv Kumar Gupta, resident of Village- Ahirauliya, P.S.- Chakia, District- East Champaran.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Parmanand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 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 and ¾ 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. 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 (S.D.J.M.) Sadar, Motihari, East Champaran in connection with Trial No.1985 of 2018 arising out of Complaint case No. C-1932 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

