

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16467 of 2017**

Arising Out of PS. Case No.-79 Year-2016 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Maksudan Sah, Son of Panna Lal Sah, resident of Village- Baikunthwa  
(Baikunthdham), Police Station- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, daughter of Sanafi Sah Sonar, resident of Village- Kaleya, Police  
Station- Kaleya, District- Bara, Nepal.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. SHAILENDRA KUMAR -1

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      05-03-2018              None appears on behalf of the opposite party No.2.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 323, 406, 498A, 504/34 of the Indian  
Penal Code and  $\frac{3}{4}$  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, Raxaul at Motihari, East Champaran in connection with Complaint case No. C-79 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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