

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58977 of 2018**

Arising Out of PS. Case No.-398 Year-2017 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

Chhotelal Kamat, S/o Late Badri Kamat, Resident of Village-Lalpur, P.S.  
Marauna, District-Supaul.

... .. Petitioner/s

Versus

State Of Bihar & Anr

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Hriday Kant Mishra  
For the Opposite Party/s : Md. Ashlam Ansari

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

3      03-12-2018      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case initially registered under Sections of the Indian Penal Code but cognizance has been taken under Sections- 341, 323, 498A, 377, 379 of the IPC .

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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/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 Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with C.R. No. 398 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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