

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51052 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -MAHILA P.S. District- SITAMARHI
=====

Hari Shankar Kumar, S/o Kishori Mahto, Resident of Village-Bhutahi, P.s.
Sonbarsa, District Sitamarhi.

.... Petitioner

Versus

- 1. The State of Bihar.
- 2. Pinki Kumari, D/O Shivjee Mahto, N.I.T. More, Registrar Q. No. 27,
P.S. Pirbahore, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.
For the State : Mr. Nawal Kishore Prasad, A.P.P.
For the O.P. No. 2 : Mr. Kamala Kant Tiwari, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2018 A supplementary affidavit has been filed on behalf of

the petitioner. The same may be kept on the record.

Learned counsel for the petitioner is permitted to

make necessary correction in paragraph no. 3 of the bail

application in course of the day.

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 498(A)/34 of the IPC and

3/4 of the D. P. Act.



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

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. 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 S.D.J.M. Sadar, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 25 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



The opposite party no. 2 will be at liberty to approach the Family Court in respect of any marital dispute between the parties.

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(Sudhir Singh, J)

