

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53798 of 2017

Arising Out of PS.Case No. -331 Year- 2015 Thana -MANER District- PATNA

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Ram Barai Rai, Son of Shyam Babu Rai, resident of Village- Khaspur, P.S.-
Maner, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Moni Devi, W/O Ram Barai Rai, D/O Suresh Rai, R/V- Khaspur, P.S.
Maner, District-Patna. At present R/V- Dost Nagar, P.S. Maner,
District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate.
For the State : Mr. Pramod Kumar Pandey, A.P.P.
For the O.P. No. 2 : Mr. Dharendra Kumar Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-01-2018 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 498(A), 323, 341, 342,
307/34 of the IPC and ¾ 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 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. There is no injury report on record to support the allegations made in the F.I.R. for constituting the offence under Section 307 of the I.P.C. 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., Danapur, Patna, in connection with Maner P.S. Case No. 331 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)