

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1151 of 2018

Arising Out of PS. Case No.-361 Year-2017 Thana- DHAKA District- East Champaran

Chandan Kumar Prasad S/o Bhagwan Mahto @ Bhagwan Sah, resident of vill. Mahmmud Nagar, P.S. Motihari Town, Dist. East Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Poonam Kumari w/o Chandan Kumar Prasad, D/o late Ramnarayan Bhagat, residing at vill. Karsahiya, P.S. Dhaka, Dist. East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : SMT. PRONATI SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-01-2018 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 $\frac{3}{4}$ 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 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 S.D.J.M., Sikarahana at
Dhaka, East Champaran, Motihari in connection with Dhaka
P.S. case No.361 of 2017, 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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