

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12688 of 2018

Arising Out of PS. Case No.-192 Year-2017 Thana- MAHILA P.S District- Supaul

Nirmal Kumar Nirala son of Vidyanand Hajari, resident of village Gajhar, P.S. Triveniganj, District Supaul

... .. Petitioner/s

Versus

1. State Of Bihar
2. Girja Kumari w/o Nirmal Kumar Nirala, D/o Tej Narayan Mandal, resident of village Gajhar, P.S. Triveniganj, District Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Madhav Jha, Advocate
For the State : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323, 342, 504, 448, 506/34 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 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 opposite party No.2 is in habit of instituting cases for similar offences. 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 C.J.M., Supaul in connection with Supaul Mahila P.S. case No.192 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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