

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50797 of 2017

Arising Out of PS. Case No.-518 Year-2016 Thana- TURKAULIYA District- East
Champaran

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Manoj Kumar son of Ram Nath Sahani resident of village Karamwa Diwan
Toli, Police Station - Majhauilya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate
For the State : Mr. ASHOK KUMAR, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-01-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case
registered under Sections 364, 365 and 498A of the Indian Penal
Code.

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. From
perusal of Annexure-2, it is evident that the victim had left the
house on her own will, which is the letter written by the victim
to her Bhaisur. Later on the statement of the victim was



recorded under Section 164 Cr.P.C., which is nothing but tutored statement made before the Magistrate. The said fact is contradicted from the statement of the witnesses made in paras 35, 36, 37 and 38 of the case diary, in which the witnesses have stated that the victim is suffered from mental illness and she was in habit of leaving the in-laws house.

On behalf of the State and learned counsel for the informant, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S. case No.518 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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