

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62681 of 2017

Arising Out of PS.Case No. -2791 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Gaurav Singh, S/o Late Ashok Singh, Resident of B/178, P.C. Colony,
Kankarbagh, P.S.- Kankarbagh, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Namita Singh, W/o Gaurav Singh, R/o Mohalla- Lohia Nagar, Mount
Carmel High School, Kankarbagh, Patna- 20, presently residing at Jheelganj
Nai Godown, P.S.- Kotwali Gaya, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vagisha Pragya Vacaknavi
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-01-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel appearing on behalf of
the O.P. No.2.

The petitioner is apprehending his arrest in a case
which is instituted under Sections 498A, 306, 323, 504, 120B of
the Indian Penal Code and 3/4 of D.P. Act but the cognizance has
been taken only under Section 498A of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the 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. The cognizance has been taken only under Section 498A of the Indian Penal Code. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No.2791(C)/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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