

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63566 of 2017

Arising Out of PS. Case No.-446 Year-2017 Thana- MOHANIA District- Bhabhua (Kaimur)

Pankaj Tiwary son of Jamuna Tiwary, resident of village Sadullahpur, P.S. Ramgarh, District Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Roshanawati Devi wife of Shyam Sunder Tiwary, resident of village and post Mohania, District Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Garg, Adv.
For the State	:	Mr. AHTASH ALI KHAN, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 354(A)(2)/34 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 there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. The victim is in habit of instituting such cases against the petitioner. 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 Chief Judicial Magistrate,
Kaimur at Bhabua in connection with Mohania P.S. case No.446
of 2017 (G.R. No.1901 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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