

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43963 of 2018

Arising Out of PS. Case No.-332 Year-2015 Thana- JAYNAGAR District- Madhubani

Baiju Rai, S/o Pradeep Rai, resident of Village Marukiya, P.S. Andhratharhi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 307, 498A, 504 and 34 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault 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. Charge-sheet has been submitted for the offence under Sections 341, 323, 498A, 504/34 of the Indian Penal Code which is evident from the order of the Sessions Court. The petitioner has falsely been implicated in the present case due to



petty family dispute. On the earlier occasion also, the victim and her family members have instituted case for similar offence against the petitioner and his family members. 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 Complaint Case/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., Madhubani in connection with Jainagar P.S. Case No. 332 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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