

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46374 of 2018

Arising Out of PS. Case No.-318 Year-2016 Thana- COMPLAINT CASE District- Jamui

Gopal Burnwal S/o Deepnarayan Burneal , R/o Vill.- Satter, P.S.- Kunda,
District- Deoghar, Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Juli Devi D/o Jai Prakash Burneal, W/o Gopal Burneal, At present residing at near Busstand Jhajha, P.S.- Jhajha, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 323, 313, 329, 354, 379, 380/34 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. On the earlier occasion the victim had instituted case for similar offence against the petitioner and his family members. There is no medical



examination report in support of the allegations made in respect of offence under Sections 313 and 329 of the I.P.C. Rest of the offences are 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.

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 Sub Divisional Judicial Magistrate, Jamui in connection with Complaint case No.318(c) of 2016, 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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