

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54767 of 2018

Arising Out of PS.Case No. -2213 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Raj Remy, S/o Late Remy Matias, resident of Village- Kamal Nath Nagar Road, Near Dr. Saroj Clinic, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Rezy @ Priti Raj, W/o Raj Remy, D/o Late Rezy Georage, R/o Mohalla- Saint Taresa Road, Christian Quarter, Bettiah, P.S.- Bettiah Town, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh
For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case initially registered under Sections 498A, 406 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act but cognizance has been taken under Section 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act only.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment 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 due to petty family dispute. 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 Sub Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 2213 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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