

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19556 of 2017

Arising Out of PS.Case No. -17 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA

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Kamlesh Prasad, Son of Bindeshwar Sao, Resident of Village- Katka, P.S.- Paliganj, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Kiran Devi W/o Kamlesh Prasad, D/o Ramnandan Sao, Resident of Village- Dhandhar Bigha, P.S.+ District- Jehanabad, At present residing at Mohalla- Tilha Dharmsala, Bahuyarchaura Thakurgali, P.S.- Civil Lines, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ashok Kumar Sinha, Advocate.
For the State : Mr. Ram Naresh Ray, A.P.P.
For the O.P. No. 2 : None.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 07-02-2018 Heard learned counsel for the petitioner and learned A.P.P. for the State. None appears for the opposite party no. 2.

The petitioner is apprehending his arrest in a case for the offence registered under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the 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 further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Gaya, in connection with Complaint Case No. 17 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

