

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11711 of 2018

Arising Out of PS. Case No.-149 Year-2017 Thana- MAHILA P.S. District- Nalanda

Shambhu Prasad S/o Sri Sugambar Prasad, resident of village Bhikhua, P.S. Fatuha, District Patna

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rubi Devi w/o Shambhu Prasad, D/o late Krishna Prasad, R/o village Haidarpur, Police Station Hilsa, District Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : SMT. NIRMALA KUMARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-03-2018 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, 341, 504, 506/34 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 due to petty family dispute. The case is triable by the Magistrate. On the earlier occasion also, the opposite party No.2 had instituted a case for similar offence. 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 Sub Divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Mahila P.S. case No.149 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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