

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23638 of 2018

Arising Out of PS. Case No.-553 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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GAUTAM KUMAR SAXENA @ GAUTAM KUMAR, Son of Arun Kumar Saxena @ Arun Kumar, resident of Village- Gopalpur, Post Office- Nadaul, Police Station- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mausmi Kumari @ Sindhu Kumari daughter of Sri Ambika Paswan W/o Gautam Kumar Saxena @ Gautam Kumar, at present resident of village- Kewatha (Dhanawa), Post Office + Police Station- Dhanawa, District- Patna, as per complaint Petition (Annexure-1) resident of village- Gopalpur, (Railway Goomti Tineri Halt), P.S. Masaurhi, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shamimul Hoda
For the Opposite Party/s	:	Smt. Renu Kumari
For O.P. No. 2	:	Mr. S.N. Paswan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case registered under Sections 323, 498A and 506 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 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 S.D.J.M., Masaurhi, Patna in connection with Complaint Case No. 553(c)/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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