

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15703 of 2018

Arising Out of PS.Case No. -392 Year- 2017 Thana -RUNISAIDPUR District- SITAMARHI

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1. Sukumar Kumar @ Sukumar Thakur S/o Late Chitranjan Thakur, R/o village- Kamaldah Tola, Manik Chauk, P.S.- Runnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2018 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, 365/34 of the Indian Penal Code.

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. No offence under Section-365 IPC is made out in the light of Annexure-5 to the supplementary affidavit. The petitioner has instituted a case vide Sitamarhi (Riga) P.S. Case No. 261 of 2016 in respect of kidnapping of his wife (victim) in question. The police investigated the matter and came to the conclusion that the victim has eloped with one Santosh Kumar and hence,



submitted the police report stating mistake of law. 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 Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 392 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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