

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8738 of 2018

Arising Out of PS. Case No.-143 Year-2017 Thana- MAHILA P.S. District- Nalanda

Upendra Kumar @ Upendra Bind, Son of Karu Bind, Resident of Village-
Asthawan, P.S.- Asthawan, Dist- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, Wife of Upendra Kumar @ Upendra Bind, Resident of Village-
Asthawan, P.S.- Asthawan, Dist- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. S. EHTESHAMUDDIN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2018 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, 494, 341, 504, 506/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Nalanda Mahila P.S. Case No. 143 of 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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