

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3310 of 2018

Arising Out of PS. Case No.-718 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Ram Babu Nayak S/o Ashok Nayak, R/o Village- Parihar Tola Jhapaha, P.S.-
Parihar, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pushpanjali Devi W/o Ram Babu Nayak, D/o Kishori Bhagat , At present
Address, Village- Sir Siya, P.S.- Bela, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-01-2018 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, 379, 504 of the Indian
Penal Code and $\frac{3}{4}$ 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.

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. Sadar, Sitamarhi in connection with Complaint case No. C1/718 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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