

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23412 of 2018

Arising Out of PS. Case No.-543 Year-2017 Thana- AMARPUR District- Banka

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Neel Kamal Gautam @ Neel Kamal Gupta @ Guddu Kumar, Son of Bipin Kumar, resident of Village- Khemi Chak, P.S. Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi, Wife of Neel Kamal Gautam @ Guddu Kumar, resident of village Khemichak, P.S. Amarpur, District- Banka, at present Address- Tenant in Village- Ghorghat, P.S.- Bariyarpur, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brij Nandad Prasad
For the Opposite Party/s	:	Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 494 and 498A/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 victim is in the habit of instituting cases for similar offences. 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, Banka in connection with Amarpur P.S. Case No. 543/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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