

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26603 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- PHULWARI District- Patna

Chandra Shekhar Rai S/o Jiya Lal Yadav, R/o Mohalla Fulia Tola, P.S.
Phulwarisharif, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rina Sinha
For the Opposite Party/s : Mr. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 341, 323, 324, 494, 498A, 307, 504, 506 and 379 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault 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 petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The victim is in habit of instituting cases for similar offences against the petitioner and his family members.



There is no medical examination report in support of allegations made for an offence under Section 307 of the I.P.C. Same is superficial in nature. Rest of the offences are 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 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 A.C.J.M. XV, Patna in connection with Phulwarisharif P.S. case No.59 of 2018, 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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