

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38565 of 2018

Arising Out of PS.Case No. -744 Year- 2017 Thana -COMPLAINT CASE District- SUPAUL

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Amarnath Bhagat @ Munna Bhagat s/o late Badri Bhagat Resident of
Village - Manganj, P.S. Jadiya, District - Supaul.

.... Petitioner

Versus

1. The State of Bihar.
2. Nutan Devi w/o Amarnath Bhagat @ Munna Bhagat Resident of
Triveniganj Bazar, Latauna North, Ward No. 13, P.S. Triveniganj, Dist -
Supaul.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Mira Kumari
For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner, learned counsel for
opposite party No. 2 and learned APP for the State.

The petitioner is apprehending his arrest in a case registered
under Section 498A 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 there is
no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have falsely been implicated in the
present case due to petty family dispute. On earlier occasion, for
similar nature of offence, a case has been lodged by the
complainant against the petitioners and their family members. The



case is triable by the Magistrate. The petitioners have 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 and opposite party No.2, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Supaul in connection with Complaint Case No. 744P 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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