

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40540 of 2018

Arising Out of PS.Case No. -563 Year- 2016 Thana -MADHUBANI COMPLAINT CASE District -
MADHUBANI

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Amit Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a complaint case registered under Sections 323, 341, 342, 452, 406, 420, 498(A), 354, 376, 511, 120(B) and 34 of the Indian Penal Code but summons have been issued against the petitioner for the offences under Sections 323, 341, 498(A) and 354 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 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 Sub Divisional Judicial Magistrate, Madhubani in connection with Complaint Case No. 563(CIS)/627(CR)/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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