

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42159 of 2018

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Rajiv Kumar, Son of Sri Jai Nandan Mistri @ Jai Nandan Sharma, Resident of Village- Udaypura, P.S.- Parsbigaha, District- Jehanabad, Bihar, at present resident of Mohalla- East Indira Nagar, Road No.3, Kankarbagh, P.S.- Kankarbagh, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Seema Kumari, D/o Sri Arjun Sharma, Wife of Rajiv Kumar, Resident of Mohalla- Sipara, Hatkhan, P.O.- Dhelwa, P.S.- Beur, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dilip Kumar
For the Opposite Party : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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 Chief Judicial Magistrate, Patna in connection with Complaint Case No. 1503(C) 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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