

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43017 of 2018

Arising Out of PS. Case No.-721 Year-2017 Thana- COMPLAINT CASE District- Jamui

Vijay Prakash Malviya S/o Niranjan Kumar Malviya, R/o Vill.- Mahuli Post
Office Gidhaur, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Deepa W/o Vijay Prakash Malviya, R/o Vill.- Mahuli Post Gidhaur,
P.S.- Khaira, District (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Dubey

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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 Sections 498A, 379 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in which cognizance has been taken under section 498A IPC.

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 petitioner has falsely been implicated in the present case due to petty family dispute. On the earlier



occasion also, the victim and her family members have instituted case for similar nature against the petitioner and his family members. 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 S.D.J.M., Jamui in connection with Complaint Case No. 721C/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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