

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55094 of 2017

Arising Out of PS. Case No.- Year- Thana- District- Gopalganj

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Jitendra Kumar @ Jeetendra Kumar Prasad, son of Ram Chandra Mukhiya,
resident of Village- Bhawanipur, P.O.- Thikaha, Police Station- Sangrampur,
District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ruby Devi, wife of Jitendra Kumar, D/o Dina Nath Prasad, At present R/o
Village- Sadhu Chowk Saraiya, Ward No. 3, P.O.+ P.S. and District-
Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Chaudhary. Adv.
For the State	:	Mr. Ram Sumiran Roy, APP
For O.P. No.2	:	Mr. Surendra Sao, Adv.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 494 of the Indian Penal Code.

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 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.

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 Additional Chief
Judicial Magistrate VII, Gopalganj in connection with Trial
No.735 of 2017, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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