

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61413 of 2018

Arising Out of PS.Case No. -444 Year- 2017 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Shibham Das @ Shivam Das, Son of Jitu Das, Resident of Village- Bahi Tola, Balaha, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar. null null
2. Asha Devi, Wife of Shivam Das @ Shibham Das, D/o Indo Das, Resident of Village- Kahra, P.S. & District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 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, 406 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 Shri M. Shrivastava, learned Additional
Chief Judicial Magistrate-III, Saharsa in connection with
Complaint Case No. 444C of 2017, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

A.K.V./-

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