

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51467 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Bikash Yadav @ Bikash Kumar S/o Indradeo Yadav, R/o Village- Pariya Lohapul, P.S.- Bariyarpur, District- Munger.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-01-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the O.P. No.2.

The petitioner is apprehending his arrest in a case instituted under Sections 498(A), 323, 307, 379/34 of the Indian Penal Code and ¾ of D.P. Act.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the 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 present case has been instituted against



the petitioner. There is no injury report to support the allegations in the F.I.R. for constituting an offence under Section 307 of the Indian Penal Code. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State and counsel for the O.P. No.2, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Sultanganj P.S. Case No. 29/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.1st, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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