

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70515 of 2018

Arising Out of PS. Case No.-230 Year-2018 Thana- JAGDISHPUR District- Bhojpur

Gunjan Kumar Srivastawa @ Gunjan Kumar Son of Chandrama Lal @
Chandrama Prasad Srivastava Resident of Village-Dawan, Police Station
Jagdishpur, in the district of Bhojpur, Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shilpa Nidhi W/o Gunjan Kumar Srivastawa @ Gunjan Kumar Presently
residing in Village-Dawan, Police Station-Jagdishpur, in the district of
Bhojpur, Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 354, 504, 498A of the Indian
Penal Code and $\frac{3}{4}$ 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
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 offence 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 A.C.J.M. -II, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 230/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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