

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67395 of 2018

Arising Out of PS.Case No. -155 Year- 2012 Thana -BHAGWANPUR District- BEGUSARAI

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1. Mohit, Son of Hemant Prasad, Resident of Village-Damodarpur, P.S. Bhagwanpur, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Arju Kumari, Wife of Mohit Daughter of Sita Ram Rai, Resident of Village-Chatritol, P.S. Bhagwanpur, (Teyai O.P.) Distt. Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 379, 34, 494 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 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 earlier occasion also, the victim and her family members have instituted a case for similar nature of 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 Sub Divisional Judicial Magistrate, Begusarai in connection with Bhagwanpur P.S. Case No. 155 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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