

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13724 of 2018

Arising Out of PS.Case No. -1286 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Deepak Kumar @ Munna Singh, Son of Late Uma Shankar Singh, Resident
of Village- Takiya, P.S.- Sasaram (Town) District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Pinki Devi @ Prabha Devi, Wife of Dipak Kumar @ Munna Singh,
Resident of Village- Takiya, Ward No.2, P.S.- Sasaram (Model),
District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sada Nand Roy, Advocate.

For the State : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 324 and 307 of the
IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case due to petty family dispute. There is no allegation of



tampering with the witnesses alleged against the petitioner. The victim is in habit of instituting cases of similar offence. The nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Buxar, in connection with Sasaram (Model) P.S. Case No. 1286 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)