

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12675 of 2018

Arising Out of PS. Case No.-2539 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sakindra Upadhyay @ Satyendra Upadhyay son of Ram Chandra Upadhyay,
resident of village Belahi Ram, P.S. Patahi, District East Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Chandni Devi w/o Sakindra Upadhyay alias Satyendra Upadhyay D/o
Manoj Tiwary, resident of village Belahi Ram, P.S. Patahi, District East
Champaran at present resident of village Noon Pharwa, P.S. Patahi, District
East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III
For the Opposite Party/s : Mr. AWADHESH KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment 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.

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 Addl. Chief Judicial
Magistrate XIV, Motihari, East Champaran in connection with
Trial No.2155 of 2017 arising out of Complaint case No.C-2539
of 2016, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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