

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6411 of 2018

Arising Out of PS. Case No.-1775 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Jay Kishore Prasad, Son of Late Bhikhari Mahto. Resident of Village-Indarwa, Police Station-Sonevarsa, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Hari Narayan Bhagat, Son of Late Dip Narayan Bhagat, R/v-Parsa Mahindra, P.S.-Sonevarsa, Dist.Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. ASHOK KUMAR SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-02-2018 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, 323, 504 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-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 Chief Judicial Magistrate, Sitamarhi in connection with Complaint case No. C-1/1775 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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