

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33272 of 2018

Arising Out of PS.Case No. -444 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Dhirendra Kumar Tiwary @ Manoj Kr. Tiwary @ Manoj Tiwary @
Dhirendra Tiwary S/o Deonandan Tiwary, R/o Vill.- Paras Pakari , P.S.-
Majhauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reema Devi W/o Manoj Tiwary @ Dhirendra Kumar Tiwary, D/o
Umakant Pandey @ Bade Pandey, At present R/o Vill.- Sangrampur, P.S.-
Sangrampur, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-06-2018 Heard learned counsel for the petitioner, O.P. No. 2 and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered
under Sections 498A/34 of the Indian Penal Code and 34 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 the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
informant is in habit of instituting case for similar offences against



the petitioner and his family members. 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 and O.P. No. 2, 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 Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 444 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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