

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35403 of 2018

Arising Out of PS. Case No.-108 Year-2014 Thana- DEORIYA District- Muzaffarpur

Rajesh Sah @ Rajesh Kumar Sah son of late Ramnath Sah, resident of village Dharfari, P.S. Deoriya, District Muzaffarpur

... .. Petitioner/s

Versus

1. State Of Bihar
2. Shobha Devi wife of Rajesh Sah @ Rajesh Kumar Sah, resident of village Deoriya Chaudhary Tola, P.O. and P.S. Deoriya, District Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey
For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 342, 379, 504, 506, 120B and 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 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, West, Muzaffarpur in connection with
Deoriya P.S. case No.108 of 2014, 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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