

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48622 of 2018

Arising Out of PS. Case No.-425 Year-2017 Thana- SUGAULI District- East Champaran

Basudeo Giri @ Basdeo Giri Son of Manager Giri Resident of Village-
Sugoandih, Ward No. 8, Police Station- Sugauli, District- East Champaran at
Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018

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, 498A, 365/34 of the Indian Penal Code and
¾ of Dowry Prohibition Act.

The prosecution case, in short, is that the accused persons
including the petitioner committed torture the victim due to non-
fulfilment of demand of dowry. It is claimed that the accused persons
have also kidnapped the daughter of the informant.

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. It is a malafide
prosecution relating to missing of the victim. A Sanha was instituted



on 08.10.2017, which is Annexure 2 to the present application. Thereafter an F.I.R. was also instituted by the petitioner side on 15.11.2017 as they were assaulted by the family members of the victim. Again on 23.11.2017, a complaint case was also filed in the court below against the family members of the victim. In retaliation to the same, the present case was filed on 15.12.2017. 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/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, East Champaran at Motihari in connection with Sugauli P.S. case No.425 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

