

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8859 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- SONBERSA District- Sitamarhi

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TEJ NARAYAN MAHTO @ TEJ NARAYAN PRASAD, Son of Ram Chandra Mahto, Resident of Village- Phulkaha, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anita Devi, Wife of Ram Opnet Mahto, D/o Aklu Sah, Resident of Village- Phulkaha, P.S.- Kanhauli, at present residing at R/o Village- Bhutahi, P.S.- Sonbarsa, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. ZAINUL ABEDIN

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 498A and 354/34 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 is in-laws. He is separate in mess and



property with the husband of the victim. 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/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 A.C.J.M.-IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 180 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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