

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15803 of 2018

Arising Out of PS.Case No. -6 Year- 2014 Thana -MAHILA PS District- DARBHANGA

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1. Aakash Ashutosh, S/o Shashi Bhushan Prasad, Resident of Village-Belsand Sariya, P.S.- Belsand District- Sitamarhi, Presently resident at- E-32 Sector- 27, P.S.- Sector 18, District- Uttar Pradesh (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Guddi Kumari, D/o Late Mukesh Kumar, Resident of Sastri Nagar (Said Nagar), P.S.- Laheriasarai, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Mishra

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections-323, 379, 498(A), 504/34 of the Indian Penal Code.

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 is husband of the informant. 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/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, Darbhanga in connection with Mahila Thana P.S. Case No. 06 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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