

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23583 of 2018

Arising Out of PS. Case No.-121 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Mukesh Kumar, Son of Ramchandra Lal, Resident of Village- Madhopur,
P.S.- Mabbi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Alpana Kumari, Wife of Mukesh Kumar, Daughter of Aditya Prasad Karna,
Resident of Village- Madhopur, P.S.- Mabbi, District- Darbhanga, at present
residing at Village- Dath, P.S.- Hasanpur, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner is apprehending his arrest in a case in
which cognizance has been taken under section 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 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 Md. Mansur Alam, learned A.C.J.M.-III, Rosera, Samastipur in connection with Complaint Case No. 121/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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