

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27237 of 2018

Arising Out of PS. Case No.-506 Year-2017 Thana- COMPLAINT CASE District- Banka

Pankaj Sah S/o Dashrath Sah resident of village - Madari, Police Station - Bounsi, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shanti Devi W/o Pankaj Sah, D/o Gurudeo Thakur R/o Village Parariya, Gram Kachahari Bahera, Police Station - Banka, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-05-2018 Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the application in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 380, 504, 506 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act, but cognizance has been taken under Sections 498A, 323 of the I.P.C. and 3 of Dowry Prohibition Act.

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.

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, Banka in connection with Complaint case No.506 of 2017, 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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