

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45959 of 2018

Arising Out of PS. Case No.-825 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Raju Mahto @ Raju Kumar Mahto son of Kapil Deo Mahto, resident of
Village- Dwarikapur P.S. Sakra District Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Daya Nand Mahto son of Raj Deo Mahto, resident of Village- Sari, P.S.
Warisnagar, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar
For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 304B, 201, 120B of the Indian
Penal Code and ³/₄ 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 been made accused due to mistake



of fact. On the basis of a police case, the matter was investigated. The Police submitted a final form in the present case finding the allegation to be false. Thereafter the case was proceeded on the basis of protest-cum- complaint and process has been issued against the petitioner. Hence the present application has been preferred.

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-Judge-XIII-cum- A.C.J.M.-IV, Muzaffarpur in connection with Protest Complaint Case No. C-825/17 arising out of Sakra P.S. Case No. 618 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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