

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51881 of 2018

Arising Out of PS.Case No. -18 Year- 2018 Thana -MAHILA P.S. District- SARAN

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1. Sitish Kumar, S/o Jai Prakash @ Jai Prakash Sharma, resident of Village/Mohalla- Karimchak, P.S.- Chapra Town, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 Counsel for the petitioner is permitted to make necessary correction in paragraph-3 of the main application in course of the day.

Heard learned counsel for the petitioner, O.P. No. 2 and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 341, 323, 504, 379, 498(A)/34 of the Indian Penal Code and ¾ of Dowry Prohibition Act.

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 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. On earlier occasion also, the victim and her family members have instituted a case for similar nature of offence against the petitioner and his family members. 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 and O.P. No. 2, 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 Chief Judicial Magistrate, Saran at Chapra in connection with Saran Mahila P.S. Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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