

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22449 of 2018

Arising Out of PS.Case No. -1730 Year- 2017 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Chandan Kumar, Son of Sita Ram Mahto, Resident of Village Chatauna
Tole, Gangapur, P.S. Samastipur (Mufassil), District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Puja Kumari, Wife of Chandan Kumar, P.S.- Muffassil, District-
Samastipur, Daughter of Sundeshwar Tiwari, P.S.- Muffasil, District
Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Dilip Kumar Roy, Advocate.

For the State : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 25-04-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for

the offence registered under Sections 498(A)/34 of the IPC and 4

of the D.P. Act.

The prosecution story, in brief, is that the accused

persons including the petitioner tortured the victim due to non-

fulfilment of demand of dowry.

An opportunity for reconciliation between the parties

was given by order dated 16.04.2018. It has submitted by learned

counsels for the parties that process of reconciliation has failed.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned S.D.J.M. Samastipur, in connection with Complaint Case No. 1730 of 2017, T.R. No. 2907 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

