

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20268 of 2018

Arising Out of PS. Case No.-484 Year-2016 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Piyush Madhukar Son of late Jai Prakash Gupta, Resident of Village-Bibichak Sandalpur, Ward No.35, Jamalpur Road, Police Station Kasim Bazar, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari Gupta Wife of Piyush Madhukar, Daughter of Upendra Prasad, Resident of Village-Bibichak Sandalpur, Ward No.35, Jamalpur Road, Police Station Kasim Bazar, District-Munger, Present address Murgichak, Ward No. 8, Police Station and District Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Sinha -2
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 498A of the Indian Penal Code and $\frac{3}{4}$ 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 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 learned S.D.J.M., Khagaria in connection with Complaint Case No. 484C/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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