

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23664 of 2018

Arising Out of PS. Case No.-1303 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Raj Ballam Ray @ Raj Ballam Rai, Son of Basawan Rai, Resident of Village-
Gaushpur, P.O.- Bariyarpur, P.S.- Rajapakar, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Jitan Devi, Daughter of Surendra Rai @ Budai Rai, Resident of Village-
Babanghat, P.O.- Adalpur, P.S.- Mahua, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A and 323 of the Indian Penal
Code.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. C-1303/2017 (Trial No. 1998/2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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