

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5228 of 2019

Arising Out of PS. Case No.-1357 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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Samarjeet Kumar @ Samarjit Kumar S/o Late Guru Sahaya Prasad Village-
Maira,P.S.- Katrisarai, District-Nalanda at Bihar Sharif.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Swati Kumari D/o Krishna Kumar Choudhary R/o Mohalla- Garah Par, P.S.
Nawada, District-Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 30-01-2019 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 4 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 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 Sub Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 1357 of 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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