

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6911 of 2019

Arising Out of PS. Case No.-82 Year-2018 Thana- NAUGACHIA District- Bhagalpur

Pritam Kumar Sah, Male, aged about 27 Years, S/O Raj Kumar Sah, Resident of village-Diwadih, P.S.-Korha, District-Katihar.

... .. Petitioner

Versus

1. The State of Bihar.
2. Gunjan Kumari, Female, aged about 23 Years, D/O Jai Prakash Sah and W/O Pritam Kumar Sah, Resident of village-Diwadih, Near National High way-31, P.S.-Korha, District-Katihar, at present residing at village and P.O. Mahadatpur, P.S.-Naugachhia, District-Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Dineshwar Prasad Singh, Advocate.
For the State	:	Mr. C. Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 504, 307, 498(A) of the IPC and $\frac{3}{4}$ 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.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is



the husband of the victim. After investigation, police has submitted charge sheet under Sections 341,323, 504, 498(A) of the IPC and $\frac{3}{4}$ of the D.P. Act against the petitioner and others. 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 counsel for the State, 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. Naugachia, in connection with Naugachia P.S. Case No. 82 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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