

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10532 of 2019

Arising Out of PS. Case No.-173 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Ramashish Ram Son of Bhugali Ram Resident of village- Daulatpur, P.S.-
Obra, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Ramashish Ram , Daughter of Kishun Dev Ram Resident of village- Daulatpur Ganj, P.S.- Obra, District- Aurangabad, and at present resident of village- Bela, P.S.- Muffasil, District- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rupa Kumari
For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case initially, registered under Sections 341, 323, 504, 379, 498A/494 of the Indian Penal Code but later on, cognizance has been taken under Sections 498A/494 of the Indian Penal Code only.

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 Sri Vishwajeet Kumar, learned Judicial Magistrate-Ist Class, Aurangabad in connection with Complaint Case No. 173 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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