

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69454 of 2018

Arising Out of PS. Case No.-101 Year-2014 Thana- GARKHA District- Saran

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Durga Mahto Son of Chandeshwar Mahto, Resident of Village- Baikunthpur,
P.S.- Garkha, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 304(B), 201/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault and thereafter caused death of 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 been made accused due to mistake of fact. A complaint case was filed on the basis of which an F.I.R. was drawn under Section 156(3) of the Cr.P.C.. After the



investigation, the police found the case to be false and submitted final form in the case. The said final form is Annexure-2 to the present application.

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 A.C.J.M. -V, Saran at Chapra in connection with Garkha P.S. Case No. 101 of 2014 (Complaint Case No. 448 of 2012), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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