

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13925 of 2020

Arising Out of PS. Case No.-366 Year-2019 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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RABINDRA JAISWAL Son of Late Bharat Sah @ Bharat Prasad Resident of
Goriakothi Bazar, P.S.- Gorla Kothi, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi Wife of Rabindra Jaiswal Resident of Gorla Kothi, P.S.- Gorla Kothi, District- Siwan, at Present D/O- Dhruv Prasad, Resident of Sirsia Bazar, P.S.- Kuchaikot, District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra
For the Opposite Party/s : Mr. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 29-06-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

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 of the Indian Penal Code.

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 petitioner is husband of the victim. 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 of the case and also the lockdown, 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 his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Gopalganj in connection with Complaint Case No. 366 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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