

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13836 of 2020

Arising Out of PS. Case No.-685 Year-2018 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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PAPPU YADAV Son of Mandhat Yadav Resident of Village - Nado Dih, Post Damgadhi, P.S.- Saur Bazar, District - Saharsa.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gulab Devi @ Gulab Kumari Wife of Pappu Yadav Daughter of Gudura Yadav, Resident of Village - Maheshpur, Post - Samda, P.S.- Saur Bazar, District - Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-06-2020 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 initially registered under Sections 323, 342, 379, 498A, 504, 506 of the Indian Penal Code but later on, cognizance has been taken for the offence under Sections 323, 498A, 506/34 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 offences are triable by 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 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 Sri Praduman Kumar, learned Judicial Magistrate-Ist Class, in connection with Saharsa Complaint Case No. 685C of 2018 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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