

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18177 of 2020

Arising Out of PS. Case No.-4 Year-2019 Thana- UCHKAGAON District- Gopalganj

TUNTUN KUMAR, Gender-Male, aged about 23 years, Son of Kalicharan Sah, Resident of Village - Kawahi, P.S.- Uchakagaon, Distt - Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar.
2. Puja Devi, Wife of Pappu Sah, Resident of Village - Kawahi, P.S.- Uchakagaon, Distt - Gopalganj.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Javed Aslam, Advocate.
For the State	:	Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-08-2020 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 A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 323, 406 and 498(A) of the IPC.

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 falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the brother-in-law (Dewar) of the victim. He is separate in mess and property from the husband of the victim. 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 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 eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned A.C.J.M.-IX, Gopalganj, in connection with Uchakagaon P.S. Case No. 04/19, 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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