

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34187 of 2020

Arising Out of PS. Case No.-42 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Uttam Raj @ Shiv Kumar Varma @ Shiv Kumar Verma Son of Late Ram Prasad Verma, resident of village and Post- Ajwan, Police Station- Naubatpur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Savera Wife of Uttam Raj @ Shiv Kumar Verma Daughter of Sri Ghanshyam Prasad, Resident of Village- Shatichaura Colony, Behind-Registry Office, Danapur, Police station- Danapur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 2 04-03-2021 Counsel for the petitioner is directed to remove the defect(s),
as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 498(A), 307 of the Indian Penal Code and 4 of
Dowry Prohibition Act, but cognizance has been taken under
Sections 498A, 323/34 of I.P.C. and Section 4 of Dowry Prohibition
Act.

Allegation against the petitioner is of committing torture upon
the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that there is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Cognizance has been taken under Sections 323, 498A, 323/34 of I.P.C. and Section 4 of Dowry Prohibition Act. 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 learned Sub Divisional Judicial Magistrate, Danapur, Patna in connection with Complaint case No.42(C) of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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