

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50321 of 2021

Arising Out of PS. Case No.-5 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

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Dilip Jha Son Of Raman Jha Permanent R/O Village- Andipatti, Post-Shivipatti, P.S.- Rajnagar, District- Madhubani, Bihar, Presently Resident Of - C/O Haresh Tulsi Ram Kali, House No. 1333/12, Vaibhavgarh, Sector-14, C.B.D. Belapur, Navi Mumbai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Jha

For the Opposite Party/s : Mrs. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner is apprehending his arrest in a case registered under Sections 498A, 313, 341, 323, 504, 506 read with section 34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault 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



is brother-in-law of the victim. He has falsely been implicated in the present case due to petty family dispute. As far as offence under section 313 IPC is concerned, there is no medical examination report in support of the allegation made in the F.I.R. Rest of the offences are 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 twelve 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 S.D.J.M., Bhagalpur in connection with Bhagalpur Mahila P.S. Case No. 5 of 2019, G.R. Case No. 123/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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