

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67871 of 2021

Arising Out of PS. Case No.-2061 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJU SAH Son of Ram Swarup Sah Resident of Village- Patpariya, P.S.-
Motihari Muffasil (Lakhaura), District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari Wife of Suresh Sah, Daughter of Jhagaru Sah Resident of Village- Patpariya, P.S.- Motihari Muffasil (Lakhaura), District- East Champaran. Presently resident of Village- Barwa, P.S.- Lakhaura, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Ajay Kumar Singh, Advocate
For the State : Mrs.Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection
with Tr. No.2383/2021 arising out of Complaint case No. C-
2061/2019 registered under Section 498A of the Indian Penal Code
and $\frac{3}{4}$ 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 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. The petitioner is brother-in-law of the victim. 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 facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Sadar, Motihari, East Champaran in connection with Tr. No.2383/2021 arising out of Complaint case No. C-2061/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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