

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44327 of 2022

Arising Out of Case No.-36 Year-2021 WEST CHAMPARAN COMPLAINT District- West
Champaran

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ALAGU RAM Son of Ramanand Ram Resident of village - Dhanarapa,
Police Station- Ram Nagar, District - West Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. NIRJALA DEVI Wife of Algu Ram, Daughter of - Mohan Ram At present
resident of village - Vishun Purwa, Police Station- Bagaha, District - West
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-07-2023 Heard learned counsels for the petitioner and learned

A.P.P. for the State. Despite valid service of notice no one

appears on behalf of O.P. No.2.

The petitioner is apprehending his arrest in connection

with a case registered for the offence punishable under Sections

498(A), 323, of the I.P.C.

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 due to petty family dispute. The petitioner is the



husband of the victim and he is ready to keep his wife with full honour and dignity. There is no allegation of tampering with the witnesses alleged against the petitioner. 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*. Petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, West Champaran, Bagaha in connection with Complaint case No. C36/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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