

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25448 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -DUMRAUN District- BUXAR

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1. Raju Sah Son of Gupat Sah @ Gupteshwar Sah, resident of Mohalla- Thakur Lohar ki Gali, Dumraon, P.S.- Dumraon, Dsitric- Buxer.

.... Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi D/o Umashankar Sah R/o Village Dhandchhuan, P.S. Navanagar, Distt. Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 08-10-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

In spite of all the efforts taken, the informant did not appear though the petitioner has served a copy of bail petition to the complainant personally through Chaukidar which is evident from supplementary affidavit.

Allegedly the petitioner being the husband of the informant, due to non-fulfillment of demand of motor-cycle tortured the informant in various ways and further tried to cut her with sharp edged Fasuli but due to assemblance of nearby person, she was saved.

Submission is of false implication and that the petitioner is always ready to keep his wife with full dignity and honour but she does not want to live with petitioner, which is

evident from her conduct. The petitioner was suffering in custody since 11.03.2015 and provisionally he was released on bail on 18.06.2015 and as such now the petitioner deserves sympathetic consideration. Charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence.

The learned A.P.P. fairly submits that the informant has not appeared in spite of all the best steps taken.

In the facts and circumstances stated above, the provisional bail granted to the petitioner vide order dated 18.06.2015 is hereby confirmed.

Accordingly this Criminal Misc. application is hereby disposed of.

(Jitendra Mohan Sharma, J)

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