

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29422 of 2016

Arising Out of PS.Case No. -289 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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Mukul Sao @ Mukund Sao S/o Late kali Sao, resident of village- Raikar,
P.S.- Warisaliganj, District- Nawada

.... Petitioner/s

Versus

1. State of Bihar
2. Shobha Devi wife of Mukul Sao @ Mukund Sao, resident of village-
Raikar, P.S.- Warisaliganj, District- Nawada, presently residing at
Lohanibigha, P.S. + District- Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Dr. Rabindra Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-08-2016 The case diary along with the injury report of Warisaliganj P.S. Case No. 289 of 2015 was called for vide order dated 25.07.2016. The Office note dated 11.08.2016 reflects that the case diary has been received but without injury report.

Mr. J.N. Thakur, learned APP, after going through the case diary, submits that since there is no injury report on record, on conclusion of investigation final report has been submitted under Section 323, 341 and 498A of the IPC and 3/4 of the Dowry Prohibition Act and the case has not been found true under Section 307 of the IPC, hence the matter is being taken up on merit.

The petitioner being the husband of the informant is

languishing in jail since 04.05.2016 in a case registered for the offences punishable under Sections 323, 341, 307, 498A and 504 of the Indian Penal Code.

The basic accusation is of torture for non-fulfillment of the dowry demand, though, it is alleged by the informant that the accused persons tied her legs and hands and set her on fire after pouring kerosene oil when the informant was being taken to private hospital at New Delhi and after recovery from the burn injury, the informant informed her parents about the incident.

Considering the fact that investigation has already concluded and as per the counsel for the state, during investigation, the case has not been found true under Section 307 of the IPC, let the above named petitioner be released on bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Nawada in connection with Warisaliganj P.S. Case No. 289 of 2015.

(Dinesh Kumar Singh, J)

Amrendra/-

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