

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40216 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -MAKER District- SARAN

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Kalyan Sah, Son of Kishore Sah, aged about 30 Years, R/o Village- Sripal Basant, P.O.- Basant, P.S.- Garkha, District- Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Prity Devi, W/o Kalyan Sah, D/o Late Jay Prakash Sah, R/o Village- Sripal Bansant, P.O. Basant, P.S.- Garkha, District- Saran , presently residing at Village- Purushottampur, P.S.- Maker, District- Saran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Akhileshwar Pandey, Advocate.

For the State : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Maker P.S. Case No. 136/2016 for the offences instituted under Sections 498(A)/34 of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the informant due to non-fulfillment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the



petitioner. He has falsely been implicated in the present case due to petty family dispute. 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.

It has been submitted by learned counsel for the State that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Maker P.S. Case No. 136/2016 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. XII, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

