

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23420 of 2017

Arising Out of PS.Case No. -14 Year- 2013 Thana -MAHILA PS District- JEHANABAD

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Pintu Sao, Son of Ruplal Sao, resident of Village-Mahmadpur, Police Station-Karpi in the District of Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sushant Kumar, Advocate.

For the Opposite Party : Mr. Bisheshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 25.11.2016 in connection with Arwal Mahila P.S. Case No. 14 of 2013 for the offences instituted under Sections 498(A), 323, 379, 325 and 307/34 of the IPC.

The prosecution story, in brief, is that earlier the informant has filed a case of dowry demand and harassment by the petitioner due to non-fulfilment of dowry demand etc., vide Karpi P.S. Case No. 53/2011 against above accused and his family members, which ended in compromise. But, after sometime, the accused alongwith his other family members started to harass her again and on the alleged date and time of occurrence they attempted to kill her and caused grievous hurt to her in that process. She further alleged that the accused is entangled with his



sister-in-law (Bhabhi). Hence, this accused and his family used to torture her variously.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.11.2016 and the charge sheet has been submitted in the present case. He has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation of assault has been made against him. Learned counsel for the petitioner has relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the informant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal, in connection with Arwal Mahila P.S. Case No. 14/2013.

(Sudhir Singh, J)

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