

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18643 of 2017

Arising Out of PS.Case No. -281 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

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Nilesh Sah @ Nilesh Kumar Son of Madhusudan Sah @ Madhusudan Prasad Sah, resident of Urdu Chowk Tarapur, P.S. Tarapur, District - Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarkeshwar Pd. Verma

For the Opposite Party/s : Mr. Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 05-05-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Gopalpur P.S. Case No. 281 of 2015, giving rise to Sessions Trial No. 279 of 2017, registered under Sections 341, 342, 323, 307, 354B, 504, 498(A) and 506/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Accusation is of torturing the informant due to non-fulfilment of demand of dowry by her husband- in-laws and also giving pressure by her husband to develop physical relation with bother-in-law.

Learned counsel for the petitioner submits that, in fact,



the petitioner was kidnapped by the family member of the informant and his marriage was performed with the informant forcibly. After marriage, the petitioner filed Title Suit No. 225 of 2015 under Section 12(1)(c) of the Hindu Marriage Act on 28.07.2015 in the court of Principle Judge, Family Court, Munger for declaring the marriage null and void. Thereafter the informant lodged the present case. The petitioner is in custody since 22.11.2016.

Having regard to the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge 2nd, Naugachhia, Bhagalpur in connection with Sessions Trial No. 279 of 2017, arising out of Gopalpur P.S. Case No. 281 of 2015.

(Rajendra Kumar Mishra, J)

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