

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40973 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Jitendra Mukhia Son of Late Nageshwar Mukhia @ Nago Mukhia, R/o Village- Dabail, Kusha Tola, Ward No.10, P.S.- Bihariganj, District-Madhepura.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Smt Pushpa Sinha

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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 appearing on behalf of the State.

The petitioner seeks bail in a case instituted under Sections 323, 341, 498(A), 534 of the Indian Penal Code, 379(b)(c) of Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.05.2017. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Due to petty family dispute,



the present case has been instituted against the petitioner. No offence under the Excise Act is made out against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the State, it has been submitted 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 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Udakishanganj (Madhepura), in connection with Bihariganj P.S. Case No. 160 of 2017.

(Sudhir Singh, J)

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