

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40452 of 2017

Arising Out of PS.Case No. -14 Year- 2015 Thana -MAHILA P.S. District- BHAGALPUR

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1. Bijay Mandal, S/o Mohan Mandal, Resident of Village- Chhoti Alalpur,
P.S.- Parbatta, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Rubi Devi, D/o Hira Mandal, W/o Vijay Mandal, Resident of Village-
Phulkiya, P.S.- Ghogha, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Binod Kumar 3

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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 498(A), 494, 341, 323, 379, 504, 506/34 of the Indian
Penal Code and $\frac{3}{4}$ D.P. Act.

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 27.10.2016. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The case



is triable by the Magistrate. Due to petty family dispute, the present case has been instituted 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 S.D.J.M., Naugachia, Bhagalpur, in connection with Naugachia (Mahila) P.S. Case No. 14 of 2015 (G.R. No. 244 of 2015).

(Sudhir Singh, J)

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