

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49201 of 2017

Arising Out of PS.Case No. -1308 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Rakesh Kumar, Son of Late Rajendra Das, Resident of Village- Rajipur,
P.S.- Rani Talab, District- Patna.

.... Petitioner

Versus

1. The State of Bihar. null null
2. Baby Kumari, W/o Sri Rakesh Kumar, Resident of Village- Rajipur,
P.S.- Rani Talab, District- Patna. At Present:- D/o Shri Hari Prasad, Village-
Geyaspur, P.O.- Ahiyapur Maner, P.S.- Maner, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh
For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 498 and 323 of the Indian Penal Code.

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 18.06.2017. 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. 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 Complaint Case.

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., Danapur, Patna, in connection with Complaint case No.1308 (C) of 2013.

(Sudhir Singh, J)

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