

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48536 of 2017

Arising Out of PS.Case No. -1594 Year- 2016 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Md. Raju Son of Md. Atibul, R/o Village- Barharwa, P.S.- Dumra,
District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Murtuza, Son of Late Raza Hussain, R/o Village- Barharwa, P.S- Dumra,
District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner, learned

counsel for the Opposite Party No.2 and learned counsel for the

State.

The petitioner seeks bail in a case instituted under

Sections 498(A)/34 of the Indian Penal Code and 4 of 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 20.08.2017. 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 and counsel for the Opposite Party No.2, 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., Sadar Sitamarhi, in connection with Complaint Case No. C1-1594 of 2016.

(Sudhir Singh, J)

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