

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52661 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Diwakar Kumar, Son of Ramji Mahto, Resident of Village- Sugiya, P.S.-
Shekhopur, Sarai, Distt- Sheikhpura.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 323, 341, 504, 506, 379, 498(A), 34 of the Indian Penal
Code and ¾ 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 20.06.2017. 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 C.J.M., Nalanda, Bihar Sharif, in connection with Bihar P.S. case No.259 of 2017.

(Sudhir Singh, J)

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