

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58134 of 2017

Arising Out of PS. Case No.-1424 Year-2016 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Guddu Kumar S/o Sri Asharfi Sah, resident of village Fasiya, P.S. Kanti,
District Muzaffarpur

... .. Petitioner/s

Versus

1. State Of Bihar
2. Smt. Usha Kumari w/o Guddu Kumar, D/o Sri Ram Swarth Mahto, at
present residing at village Punaura Dham Tole Janki Nagar, P.S. Sitamarhi,
District Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Uday Kumar, Advocate
For the State	:	SMT. MADHURI LATA, APP
For O.P. No.2	:	Mr. Avinash, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under Section
498A/34 of the Indian Penal Code and 4 of Dowry Prohibition
Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 1.9.2017 and 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



case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State and learned counsel for the opposite party No.2, it is 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Complaint case No. C1/1424 of 2016.

(Sudhir Singh, J)

Narendra/-

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