

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1073 of 2017

Arising Out of PS.Case No. -188 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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Md. Arshad Ali @ Arsad Ali, son of Prem Miyan @ Nesar Miyan,
Resident of Village - Radhiya Raitola, Police Station - Gobindganj, District
- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 08.06.2016
in connection with Sessions Trial No. 870 of 2016, arising out of
Gobindganj P.S. Case No. 188 of 2015 for the offences instituted
under Sections 304(B) and 201 of the IPC.

The accusation is of killing the daughter of the informant
by the accused persons due to non-fulfilment of dowry demand.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 08.06.2016 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. He has



got no criminal antecedent. He has falsely been implicated in the present case due to mistake of fact. The informant vide Annexure-2 to the present application has filed a petition in the learned court below stating that the present case has been instituted due to mistake of fact.

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 14th Additional District and Sessions Judge, East Champaran at Motihari, in connection with Sessions Trial No. 870 of 2016, arising out of Gobindganj P.S. Case No. 188 of 2015.

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(Sudhir Singh, J)

