

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30858 of 2017

Arising Out of PS.Case No. -1028 Year- 2015 Thana -SARAN COMPLAINT CASE District-
SARAN

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Ramesh Prasad Bin @ Ramesh Prasad Son of Shri Banarasi Bin, Resident of Village- Satjora Mathiya, P.O.- Takkipur, Police Station- Daraunda, District- Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. Usha Devi, W/o Ramesh Prasad Bin, D/o Police Bin, Resident of Village- Satjora Mathiya, P.O. Takkipur, Police Station- Daraunda, District- Siwan, at present Resident of Village- Imadpur Tola Bintoli, Police Station- Manjhi, District- Saran (Chapra).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sachida Nand Rai, Advocate
For the State : Mr. Ashok Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Trial No. 2755/2016, arising out of Complaint Case No. 1028/2015 for the offences instituted under Sections 498(A) and 494 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. The petitioner has further 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 learned counsel for 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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Trial No. 2755/2016, arising out of Complaint Case No. 1028/2015 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. Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)