

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43418 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -DIGHA District- PATNA

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Md. Lukman Ali @ Lukman Ali Son of Md. Lasani resident of Mohalla
D.B. Road Fish Market) Saharsa, P.S. + District - Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Choudhary, Advocate.

For the Opposite Party : Mr. Shailendra Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Digha P.S. Case No. 28/2017 for the offences instituted under
Sections 323, 498(A) of the IPC.

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

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case due to petty family dispute. There is no allegation of
tampering with the witnesses alleged against the petitioner. The
case is triable by the Magistrate. 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.

It has been submitted by learned counsel for the State 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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Digha P.S. Case No. 28/2017 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., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

